

State of Minnesota

# State Register



**Proposed, Adopted, & Expedited Rules; Executive Orders; Appointments;  
Commissioners' Orders; Revenue Notices; Official Notices;  
State Grants & Loans; State Contracts; Non-State Public Bids, Contracts & Grants**  
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# State Register

## Judicial Notice Shall Be Taken of Material Published in the *State Register*

The *State Register* is the official publication of the State of Minnesota's Executive Branch of government, published weekly to fulfill the legislative mandate set forth in *Minnesota Statutes*, Chapter 14, and *Minnesota Rules*, Chapter 1400. The *State Register* contains:

- Proposed Rules
- Adopted Rules
- Exempt Rules
- Expedited Rules
- Withdrawn Rules
- Vetoed Rules
- Executive Orders of the Governor
- Appointments
- Proclamations
- Commissioners' Orders
- Revenue Notices
- Official Notices
- State Grants and Loans
- Contracts for Professional, Technical and Consulting Services
- Non-state Public Bids, Contracts and Grants

### Printing Schedule and Submission Deadlines

Vol. 35 Issue Number	PUBLISH DATE ( <b>BOLDFACE</b> shows altered publish date)	Deadline for: Emergency Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical-Consulting Contracts, Non-State Bids and Public Contracts	Deadline for Proposed, Adopted and Exempt RULES
	# 40	Monday 4 April	Noon Tuesday 29 March
# 41	Monday 11 April	Noon Tuesday 5 April	Noon Wednesday 30 March
# 42	Monday 18 April	Noon Tuesday 12 April	Noon Wednesday 6 April
# 43	Monday 25 April	Noon Tuesday 19 April	Noon Wednesday 13 April

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## NOTICE: How to Follow State Agency Rulemaking in the State Register

The *State Register* is the official source, and only complete listing, for all state agency rulemaking in its various stages. State agencies are required to publish notice of their rulemaking action in the *State Register*. Published every Monday, the *State Register* makes it easy to follow and participate in the important rulemaking process. Approximately 80 state agencies have the authority to issue rules. Each agency is assigned specific **Minnesota Rule** chapter numbers. Every odd-numbered year the **Minnesota Rules** are published. Supplements are published to update this set of rules. Generally speaking, proposed and adopted exempt rules do not appear in this set because of their short-term nature, but are published in the *State Register*.

An agency must first solicit **Comments on Planned Rules** or **Comments on Planned Rule Amendments** from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency (*Minnesota Statutes* §§ 14.101). It does this by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, or within 60 days of the effective date of any new statutory grant of required rulemaking.

When rules are first drafted, state agencies publish them as **Proposed Rules**, along with a notice of hearing, or a notice of intent to adopt rules without a hearing in the case of noncontroversial rules. This notice asks for comment on the rules as proposed. Proposed emergency rules, and withdrawn proposed rules, are also published in the *State Register*. After proposed rules have gone through the comment period, and have been rewritten into their final form, they again appear in the *State Register* as **Adopted Rules**. These final adopted rules are not printed in their entirety, but only the changes made since their publication as Proposed Rules. To see the full rule, as adopted and in effect, a person simply needs two issues of the *State Register*, the issue the rule appeared in as proposed, and later as adopted.

The *State Register* features partial and cumulative listings of rules in this section on the following schedule: issues #1-13 inclusive; issues #14-25 inclusive (issue #26 cumulative for issues #1-26); issues #27-38 inclusive (issue #39, cumulative for issues #1-39); issues #40-52 inclusive, with final index (#1-52, or 53 in some years). An annual subject matter index for rules was separately printed usually in August, but starting with Volume 19 now appears in the final issue of each volume. For copies or subscriptions to the *State Register*, contact Minnesota's Bookstore, 660 Olive Street (one block east of I-35E and one block north of University Ave), St. Paul, MN 55155, phone: (612) 297-3000, or toll-free 1-800-657-3757.

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Contract information is available from the Materials Management (MMD) Helpline (651) 296-2600, or Web site: [www.mmd.admin.state.mn.us](http://www.mmd.admin.state.mn.us)

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# Proposed Rules

**Comments on Planned Rules or Rule Amendments.** An agency must first solicit Comments on Planned Rules or Comments on Planned Rule Amendments from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency (*Minnesota Statutes* §§ 14.101). It does this by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, and within 60 days of the effective date of any new statutory grant of required rulemaking.

**Rules to be Adopted After a Hearing.** After receiving comments and deciding to hold a public hearing on the rule, an agency drafts its rule. It then publishes its rules with a notice of hearing. All persons wishing to make a statement must register at the hearing. Anyone who wishes to submit written comments may do so at the hearing, or within five working days of the close of the hearing. Administrative law judges may, during the hearing, extend the period for receiving comments up to 20 calendar days. For five business days after the submission period the agency and interested persons may respond to any new information submitted during the written submission period and the record then is closed. The administrative law judge prepares a report within 30 days, stating findings of fact, conclusions and recommendations. After receiving the report, the agency decides whether to adopt, withdraw or modify the proposed rule based on consideration of the comments made during the rule hearing procedure and the report of the administrative law judge. The agency must wait five days after receiving the report before taking any action.

**Rules to be Adopted Without a Hearing.** Pursuant to *Minnesota Statutes* § 14.22, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing. An agency must first solicit **Comments on Planned Rules or Comments on Planned Rule Amendments** from the public. The agency then publishes a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. If, during the 30-day comment period, 25 or more persons submit to the agency a written request for a hearing of the proposed rules, the agency must proceed under the provisions of §§ 14.14-14.20, which state that if an agency decides to hold a public hearing, it must publish a notice of intent in the *State Register*.

**KEY: Proposed Rules** - Underlining indicates additions to existing rule language. ~~Strikeouts~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **Adopted Rules** - Underlining indicates additions to proposed rule language. ~~Strikeout~~ indicates deletions from proposed rule language.

## Minnesota Racing Commission

### Proposed Permanent Rules Relating to Horse Racing

#### DUAL NOTICE: Notice of Intent to Adopt Rules Without a Public Hearing Unless 25 or More Persons Request a Hearing, And Notice of Hearing If 25 or More Requests For Hearing Are Received

#### Proposed Amendments to Rules Governing Horse Racing, *Minnesota Rules*, 7873 Pari-mutuel Rules, 7877 Duties and Responsibilities of Class C Licensees, 7883 TB/QH Horse Races

**Introduction.** The Racing Commission intends to adopt rules without a public hearing following the procedures in the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. If, however, 25 or more persons submit a written request for a hearing on the rules by 4:30 p.m. on May 4, 2011, the Commission will hold a public hearing in the Paddock Gardens Conference Room, Canterbury Park, 1100 Canterbury Road, Shakopee, Minnesota 55379, starting at 1:00 p.m. on Tuesday, May 17, 2011. To find out whether the Commission will adopt the rules without a hearing or if it will hold the hearing, you should contact the agency contact person after May 4, 2011 and before May 17, 2011.

**Agency Contact Person.** Submit any comments or questions on the rules or written requests for a public hearing to the agency contact person. The agency contact person is: Richard Krueger at Minnesota Racing Commission, P. O. Box 630, Shakopee, MN 55379, **phone:** (952) 496-7950, **fax:** (952) 496-7954, and **e-mail:** [richard.krueger@state.mn.us](mailto:richard.krueger@state.mn.us). **TTY** users may call the Racing Commission at 800-627-3529.

**Subject of Rules and Statutory Authority.** The proposed rules will reduce the minimum wagering amount of Trifecta betting and allow same day pick four pool carryover, allow the jockeys to wear mud pants in inclement weather, clarify payment of jockey mount fees, limit toe grab height restrictions to thoroughbred racing horses and define the specifications for riding crops. The statutory authority to adopt the rules is *Minnesota Statutes*, section 240.23. Further statutory rulemaking authority, relating to the amendments contained herein, includes *Minnesota Statutes* 240.03 Commission Powers and Duties, *Minnesota Statutes* 240.13Subd.3 Pari-Mutuel Betting. A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed and posted on the Commission's **website** at: [www.mrc.state.mn.us](http://www.mrc.state.mn.us).

**Comments.** You have until 4:30 p.m. on Wednesday, May 4, 2011, to submit written comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Your comment must be in writing, and received by the agency contact person by the due date. Comment is encouraged. Your comments should identify the portion of the proposed rules addressed, the reason for the comment,



# Proposed Rules

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and any change proposed. You are encouraged to propose any change that you desire. You must also make any comments about the legality of the proposed rules during this comment period.

**Request for a Hearing.** In addition to submitting comments, you may also request that the Commission hold a hearing on the rules. You must make your request for a public hearing in writing and must be received by the agency contact person by 4:30 p.m. on Wednesday, May 4, 2011. You must include your name and address in your written request. In addition, you must identify the portion of the proposed rules that you object to or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and the agency cannot count it when determining whether it must hold a public hearing. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

**Withdrawal of Requests.** If 25 or more persons submit a valid written request for a hearing, the Commission will hold a public hearing unless a sufficient number of persons withdraw their requests in writing. If enough requests for hearing are withdrawn to reduce the number below 25, the agency must give written notice of this to all persons who requested a hearing, explain the actions the agency took to affect the withdrawal, and ask for written comments on this action. If a public hearing is required, the agency will follow the procedures in *Minnesota Statutes*, sections 14.131 to 14.20.

**Alternative Format/Accommodation.** Upon request, the Commission can make this Notice available in an alternative format, such as large print, Braille, or cassette tape. To make such a request or if you need an accommodation to make this hearing accessible, please contact the agency contact person at the address or telephone number listed above.

**Modifications.** The Commission may modify the proposed rules, either as a result of public comment or as a result of the rule hearing process. It must support modifications by data and views submitted to the agency or presented at the hearing. The adopted rules may not be substantially different than these proposed rules unless the Commission follows the procedure under *Minnesota Rules*, part 1400.2110. If the proposed rules affect you in any way, the Commission encourages you to participate in the rulemaking process.

**Cancellation of Hearing.** The Commission will cancel the hearing scheduled for May 17, 2011, if the agency does not receive requests for a hearing from 25 or more persons. If you requested a public hearing, the agency will notify you before the scheduled hearing whether the hearing will be held. You may also call the agency contact person at (952) 496-7950 after May 4, 2011 to find out whether the hearing will be held.

**Notice of Hearing.** If 25 or more persons submit valid written requests for a public hearing on the rules, the Commission will hold a hearing following the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The Commission will hold the hearing on the date and at the time and place listed above. The hearing will continue until all interested persons have been heard. Administrative Law Judge Richard C. Luis is assigned to conduct the hearing. Judge Luis can be reached at the Office of Administrative Hearings, 600 North Robert Street, P. O. Box 64620, St. Paul, MN 55164-0620, **telephone:** (651) 361-7900, and **fax:** (651) 361-7936.

**Hearing Procedure.** If the Commission holds a hearing, you and all interested or affected persons, including representatives of associations or other interested groups, will have an opportunity to participate. You may present your views either orally at the hearing or in writing at any time before the hearing record closes. All evidence presented should relate to the proposed rules. You may also submit written material to the Administrative Law Judge to be recorded in the hearing record for five working days after the public hearing ends. At the hearing the Administrative Law Judge may order that this five-day comment period is extended for a longer period but not more than 20 calendar days. Following the comment period, there is a five-working-day rebuttal period when the agency and any interested person may respond in writing to any new information submitted. No one may submit additional evidence during the five-day rebuttal period. The Office of Administrative Hearings must receive all comments and responses submitted to the Administrative Law Judge no later than 4:30 p.m. on the due date. All comments or responses received will be available for review at the Office of Administrative Hearings. This rule hearing procedure is governed by *Minnesota Rules*, parts 1400.2000 to 1400.2240, and *Minnesota Statutes*, sections 14.131 to 14.20. You may direct questions about the procedure to the Administrative Law Judge.

The agency requests that any person submitting written views or data to the Administrative Law Judge before the hearing or during the comment or rebuttal period also submit a copy of the written views or data to the agency contact person at the address stated above.

**Statement of Need and Reasonableness.** The statement of need and reasonableness contains a summary of the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. It is now available from the agency contact person or on the Commission's website at [www.mrc.state.mn.us](http://www.mrc.state.mn.us).

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# Proposed Rules

**Lobbyist Registration.** *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. Ask any questions about this requirement of the Campaign Finance and Public Disclosure Board at: Suite 190, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, **telephone:** (651) 296-5148 or 1-800-657-3889.

**Adoption Procedure if No Hearing.** If no hearing is required, the agency may adopt the rules after the end of the comment period. The Commission will submit the rules and supporting documents to the Office of Administrative Hearings for review for legality. You may ask to be notified of the date the rules are submitted to the office. If you want either to receive notice of this, to receive a copy of the adopted rules, or to register with the agency to receive notice of future rule proceedings, submit your request to the agency contact person listed above.

**Adoption Procedure After a Hearing.** If a hearing is held, after the close of the hearing record, the Administrative Law Judge will issue a report on the proposed rules. You may ask to be notified of the date that the Administrative Law Judge's report will become available, and can make this request at the hearing or in writing to the Administrative Law Judge. You may also ask to be notified of the date that the agency adopts the rules and the rules are filed with the Secretary of State by requesting this at the hearing or by writing to the agency contact person stated above.

**Order.** I order that the rulemaking hearing be held at the date, time, and location listed above.

Dated: 11 March 2011

Richard G. Krueger, Executive Director  
Minnesota Racing Commission

## 7873.0185 TRIFECTA.

[For text of subp 1, see M.R.]

Subp. 2. **Price of tickets.** Trifecta tickets shall be sold singly in not less than ~~\$2.50-cent~~ denominations. A box resulting in a minimum wager of ~~\$6~~ \$1.50 or a wheel resulting in a minimum wager of \$2.50 cents may be made and will return to the bettor one-half of the minimum payoff.

[For text of subps 3 to 8, see M.R.]

## 7873.0199 PICK FOUR.

[For text of subps 1 to 6, see M.R.]

Subp. 6a. **Calculation of pool with a pick four pool designated to have a carryover.**

[For text of item A, see M.R.]

B. (1) Seventy-five percent of the net amount in the pari-mutuel pool subject to distribution among winning ticket holders shall be distributed among the holders of pari-mutuel tickets which correctly designate the official winner in each of the four races comprising the pick four. Twenty-five percent of the net amount in the pari-mutuel pool subject to distribution among winning ticket holders shall be distributed among holders of pari-mutuel tickets which correctly designate the second greatest number of official winners of the four races comprising the pick four.

(2) In the event there is no pari-mutuel ticket properly issued which correctly designates the official winner in each of the four races comprising the pick four, 75 percent of the pari-mutuel pool shall not be distributed but shall be retained by the association as distributable amounts and shall be carried over and included in the pick four pari-mutuel pool for the next succeeding racing pool or the next succeeding race date as an additional net amount to be distributed among the holders of pari-mutuel tickets which correctly designate the official winner in each of the four races comprising the pick four pool that day. The remaining 25 percent shall be distributed among the holders of pick four tickets which correctly designate the most official winners of the four races comprising the pick four.

C. (1) Seventy-five percent of the net amount in the pari-mutuel pool subject to distribution among winning ticket holders shall be distributed among the holders of pari-mutuel tickets which correctly designate the official winner in each of the four races comprising the pick four. Twenty-five percent of the net amount in the pari-mutuel pool subject to distribution among winning ticket holders shall be distributed among holders of pari-mutuel tickets which correctly designate the second greatest number of official winners of the four races comprising the pick four.

# Proposed Rules

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(2) In the event there is no pari-mutuel ticket properly issued which correctly designates the official winner of each of the four races comprising the pick four, 50 percent of the pari-mutuel pool shall not be distributed but shall be retained by the association as a distributable amount and shall be carried over and included in the pick four pari-mutuel pool for the next succeeding racing pool or the next succeeding race date as an additional net amount to be distributed among the holders of pari-mutuel tickets which correctly designate the official winner in each of the four races comprising the pick four pool that day. The remaining 50 percent shall be distributed among the holders of pick four tickets which correctly designate the most official winners of the four races comprising the pick four.

[For text of items D to H, see M.R.]

[For text of subps 7 to 13, see M.R.]

## 7877.0170 DUTIES AND RESPONSIBILITIES OF CLASS C LICENSEES.

[For text of subps 1 to 2a, see M.R.]

Subp. 3. **Jockeys and apprentice jockeys.** Jockeys and apprentice jockeys shall have the following responsibilities.

[For text of items A to K, see M.R.]

L. A jockey must wear the racing colors provided by the owner of the horse the jockey is to ride, plus solid white riding pants, top boots, and a number on the right shoulder corresponding to the mount's number as shown on the saddle cloth and in the daily program. With the approval of the stewards, the jockeys will be permitted to wear black mud pants during bad weather conditions or during muddy or sloppy track conditions. No symbols, words, or emblems shall be worn which, in the opinion of the commission, are not in keeping with the customs of the turf or are employed for advertising or promotional purposes. Notwithstanding this provision, the Jockey's Guild patch or the jockey's name may be displayed on the solid white pants. The size of the display of the jockey's name on the solid white pants is limited to a maximum of 32 square inches on each thigh of the pants on the outer sides between the hip and the knee, and ten square inches on the rear at the base of the spine.

[For text of items M to U, see M.R.]

V. A jockey mount fee shall be considered earned by a jockey when he or she is weighed out by the clerk of scales, except in the following cases:

(1) (a) When the jockey does not weigh out and ride in a race for which engaged because an owner or trainer engaged more than one jockey for the same race. In such a case, the owner or trainer shall pay the appropriate a jockey mount fee that is equal to that earned by the jockey who rode the horse to each jockey engaged for the race.

(b) In the event an owner or trainer elects to remove a jockey from a mount after naming a rider at the time of the draw, the stewards shall require a double jockey fee to be paid if the named rider is available to ride in that race. The fee to be paid to the jockey who was removed from the mount is equal to that earned by the jockey who rode the horse.

(2) When a jockey, of the jockey's own free will, elects to take himself or herself be taken off a mount without proper cause where injury to the horse or rider is not involved.

[For text of subitem (3), see M.R.]

(4) Any conditions or considerations not covered by this part shall be addressed at the discretion of the stewards. All jockey protests must be filed prior to the race.

[For text of items W and X, see M.R.]

[For text of subps 4 to 10, see M.R.]

## 7883.0170 RACING EQUIPMENT.

### A. Equipment.

(1) No bridle shall weigh more than two pounds, and no whip shall weigh more than one pound. No whip shall be used unless it has affixed to its end a leather popper not less than 1-1/4 inches in width, and not over three inches in length, and be feathered above the popper with not less than three rows of leather feathers, each feather not less than one inch in length. No whip shall exceed 31 inches in length.

(2) All whips riding crops are subject to inspection and approval by the stewards and the clerk of scales.

(a) Riding crops shall have a shaft and a flap and will be allowed in flat racing including training, only as follows:

i. maximum weight of eight ounces;



ii. maximum length, including flap, of 30 inches;

iii. minimum diameter of the shaft of one-half inch; and

iv. shaft contact area must be smooth, with no protrusions or raised surface, and covered by shock-absorbing material that gives a compression factor of at least one millimeter throughout its circumference.

(b) The flap is the only allowable attachment to the shaft and must meet these specifications:

i. length beyond the end of the shaft a maximum of one inch;

ii. width a minimum of 0.8 inch and a maximum of 1.6 inches;

iii. no reinforcements or additions beyond the end of the shaft;

iv. no binding within seven inches of the end of the shaft; and

v. shock-absorbing characteristics similar to those of the contact area of the shaft.

(3) Toe grabs other than wear plates with a height no greater than two millimeters (0.07874 inches), bends, jar caulks, stickers, and any other traction device worn on the front shoes of thoroughbred horses while racing or training on all racing surfaces are prohibited.

B. Once inspected and approved by the stewards, no changes may be made in the equipment covered by this part, without subsequent approval of the stewards.

# Adopted Rules

A rule becomes effective after the requirements of *Minnesota Statutes* §§ 14.05-14.28 have been met and five working days after the rule is published in the *State Register*, unless a later date is required by statutes or specified in the rule. If an adopted rule is identical to its proposed form as previously published, a notice of adoption and a citation to its previous *State Register* publication will be printed. If an adopted rule differs from its proposed form, language which has been deleted will be printed with strikeouts and new language will be underlined. The rule's previous *State Register* publication will be cited.

**KEY: Proposed Rules** - Underlining indicates additions to existing rule language. ~~Strikeouts~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **Adopted Rules** - Underlining indicates additions to proposed rule language. ~~Strikeout~~ indicates deletions from proposed rule language.

## Gambling Control Board Adopted Permanent Rules Relating to Lawful Gambling

The rules proposed and published at *State Register*, Volume 35, Number 18, pages 689-693, November 01, 2010 (35 SR 689), are adopted with the following modifications:

*The following rules were inadvertently not included in the notice of February 22, 2011 in which they were intended to be published.*

### **7861.0320 ORGANIZATION OPERATIONS, ACCOUNTS, REPORTS, AND RECORDS.**

#### **Subpart 1. Internal accounting and administrative controls required.**

D. The organization must use the board-prescribed form to document the segregation of functional responsibilities for the organization's gambling operations, including the names or titles of persons who are responsible for:

(11) reconciling bank statements to the checks, electronic ~~transfers and payments~~ transactions, and deposits listed in the check register, and reconciling bank deposits to games and bank records;

### **7863.0220 DISTRIBUTOR OPERATIONS, ACCOUNTS, REPORTS, AND RECORDS.**

Subpart 1. **Purchase or lease of gambling equipment.** When purchasing, leasing, or obtaining gambling equipment, the distributor must comply with Minnesota Statutes, sections 349.161 and 349.162.

B. Within ten days of being notified by the board that a manufacturer has terminated its license, the license has expired, or the ~~licensed license~~ license was revoked by the board, a licensed distributor must submit a certified physical inventory to the board. The certified inventory must include the name, form number, and quantity of all gambling equipment in inventory or gambling equipment owned or leased that was manufactured by that manufacturer.

Subp. 7a. **Sales invoice for promotional pull-tab and tipboard tickets.** A distributor who sells promotional pull-tab and tipboard tickets, as defined in part 7861.0210, subpart 43, and Minnesota Statutes, section 349.12, subdivisions 18 and 31, must record the transaction on a sales invoice which must contain the following information as required by the commissioner of revenue:

B. name of the business entity to whom the tickets are sold, the business entity's Minnesota tax identification number and federal employer identification number ~~of the business entity purchasing the tickets or in the case of an individual, and the address of the site where the tickets were delivered. If the tickets are sold to an individual, the sales invoice must contain~~ the individual's name and address; and the address of the site where the tickets were delivered;

Subp. 16. **Delinquent organization notice to board required.** This subpart pertains to the notice to the board that an organization is delinquent in payment of an invoice or lease agreement.

A. If a distributor has not received payment from an organization within 30 days of the day immediately following the date of the invoice or lease agreement, the distributor must report the delinquency to the board in ~~a manner prescribed~~ writing in an electronic format authorized by the board. The distributor must ensure that the board will receive the notice by the 31st day, or the next business day, after the invoice date for the sale or lease of the gambling equipment. The notice must include:

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# Adopted Rules

## 7863.0260 LINKED BINGO GAME PROVIDER OPERATIONS, ACCOUNTS, REPORTS, AND RECORDS.

Subp. 7. **Delinquent organization notice to board required.** This subpart pertains to the notice to the board that an organization is delinquent in payment of an invoice.

A. If a linked bingo game provider has not received payment from an organization within 30 days of the day immediately following the invoice date or lease agreement, the linked bingo game provider must report the delinquency to the board in ~~a manner prescribed~~ writing in an electronic format authorized by the board. The linked bingo game provider must ensure that the board will receive the notice by the 31st day, or the next business day, after the invoice date for the sale or lease of the gambling equipment. The notice must include:

## 7864.0230 MANUFACTURER STANDARDS FOR LAWFUL GAMBLING EQUIPMENT.

Subpart 1. **Prior board approval required for pull-tab and tipboard games and promotional pull-tab or tipboard tickets; conformance with standards for previously approved games.** The following pertain to prior board approval required for pull-tab and tipboard games and promotional pull-tab or tipboard tickets manufactured for sale in Minnesota, and conformance with standards for previously approved games.

D. All pull-tab and tipboards deals and promotional pull-tab or tipboard tickets submitted for approval and approved in Minnesota after July 1, 2011, must be in compliance with the standards by July 1, 2011.

E. All pull-tab and tipboard deals and promotional pull-tab or tipboard tickets approved for sale in Minnesota prior to July 1, 2011, and manufactured after July 1, 2011, must be in compliance by December 31, 2011.

Subp. 1a. **Manufacturing standards for pull-tab and tipboard ticket information.** Pull-tab and tipboard tickets manufactured for sale in Minnesota must, at a minimum, include the following information printed on the front of a ticket and be the same for all tickets in a deal:

G. tickets with an unopened, overall area of ~~less than~~ 1.6 square inches or less are exempt from items D, E, and F; and

Subp. 1g. **Manufacturing standards for promotional pull-tab or tipboard tickets.** Promotional tickets that mimic pull-tab and tipboard tickets, as defined by part 7861.0210, subpart 43, and Minnesota Statutes, section 349.12, subdivisions 18 and 31, must contain:

E. the following statements:

(2) for promotional use only.

A manufacturer may not duplicate the design of an approved pull-tab or tipboard game on any promotional pull-tab or tipboard ticket.

Subp. 2. **Manufacturing standards for pull-tab dispensing devices.** Pull-tab dispensing devices used to dispense pull-tab tickets and manufactured to be sold or leased in Minnesota must have the manufacturer's name or board-registered logo, serial number, model number, and date of manufacture permanently attached to it, and conform to the following standards.

B. The column and dispensing features of a pull-tab dispensing device must comply with the following.

(1) The pull-tab dispensing device must have dispensing columns located in a separately locking compartment; and the columns must accommodate tickets of varying lengths, widths, and thicknesses.

D. The electronic currency validator must:

(1) accept and validate only United States currency; and be capable of preventing acceptance of known manipulations of the currency and returning invalid currency to a player;

## 7864.0240 MANUFACTURER OPERATIONS, ACCOUNTS, REPORTS, AND RECORDS.

Subp. 1a. **Lawful gambling equipment sold or leased on an exclusive basis; restrictions and agreements.** This subpart pertains to gambling equipment designed or manufactured by a licensed manufacturer for sale or lease on an exclusive basis to a distributor or linked bingo game provider.

D. To sell or lease a specific type and model of permanent gambling equipment on an exclusive basis to only one licensed distributor

# Adopted Rules

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or linked bingo game provider, the manufacturer must document the terms in a valid, written exclusivity agreement. The written agreement must contain, at a minimum, the following:

(5) a statement that if the agreement is terminated and the permanent gambling equipment is sold or leased by the manufacturer to other distributors or linked bingo game providers, the distributor or linked bingo game provider is not entitled to any royalty or sales or lease residuals; ~~and~~

(6) a statement that if a distributor's or linked bingo game provider's license is terminated for any reason, the agreement becomes null and void, and any permanent gambling equipment in the distributor's or linked bingo game provider's inventory that was purchased or leased on an exclusive basis must be returned to the manufacturer or destroyed by the distributor or linked bingo game provider. If the permanent gambling equipment is returned to the manufacturer upon termination of the distributor's or linked bingo game provider's license, that equipment may be resold by the manufacturer to other distributors or linked bingo game providers; and

~~(6)~~ (7) signatures of both parties to the agreement. This item does not apply to written agreements in effect prior to the effective date of this rule.

Subp. 7. **Report of delinquent distributor or linked bingo game provider required.** This subpart pertains to the notice to the board that a distributor or linked bingo game provider is delinquent in payment of an invoice or lease agreement.

A. If a manufacturer has not received payment from a distributor or linked bingo game provider within 30 days of the day immediately following the date of invoice or lease agreement, the manufacturer must report the delinquency to the board in ~~a manner prescribed writing in an electronic format authorized~~ by the board. The manufacturer must ensure that the board will receive the notice by the 31st day, or the next business day, after the invoice date for the sale or lease of the gambling equipment. The notice must include:

**REPEALER.** *Minnesota Rules*, parts 7861.0210, subparts 10 ~~and 23 and 27~~; 7861.0320, subparts 10, 11, 12, and 13; 7864.0230, subpart 3; 7865.0230, subpart 2; and 7865.0260, subpart 3, are repealed.

## Public Utilities Commission (PUC) Adopted Permanent Rules Relating to Notice Plans By Pipelines Seeking Certificate of Need

The rules proposed and published at *State Register*, Volume 35, Number 16, pages 624-626, October 18, 2010 (35 SR 624), are adopted with the following modifications:

### 7829.2560 NOTICE PLANS WHEN SEEKING CERTIFICATION OF PIPELINES.

Subp. 4. **Notice content.** Proposed notice plans must provide notice recipients with the following information:

F. a statement that requests for certification of pipelines are governed by Minnesota law, including specifically chapters ~~7849~~, 7851, 7853, and 7855 and *Minnesota Statutes*, section 216B.243.

# Executive Orders

The governor has the authority to issue written statements or orders, called Executive Orders, as well as Emergency Executive Orders. The governor's authority is specified in the *Constitution of the State of Minnesota*, Article V, and in *Minnesota Statutes* § 4.035. Emergency Executive Orders, for protection from an imminent threat to health and safety, become effective immediately, are filed with the secretary of state, and published in the *State Register* as soon as possible after they are issued. Other Executive Orders become effective 15 days after publication in the *State Register* and filing with the secretary of state. Unless otherwise specified, an executive order expires 90 days after the date the governor who issued the order vacates office.

## Office of the Governor

### Emergency Executive Order #11-07: Providing for Emergency Relief from Regulations to Motor Carriers and Drivers Operating in Minnesota

I, MARK DAYTON, GOVERNOR OF THE STATE OF MINNESOTA, by virtue of the authority vested in me by the Constitution and applicable statutes, including *Minnesota Statutes*, section 221.0269, do hereby issue this Emergency Executive Order:

**WHEREAS**, the severe spring flooding is significantly impacting communities located near Minnesota rivers, streams, and creeks; and

**WHEREAS**, this crisis has the potential to inflict widespread and substantial damage to public infrastructure, as well as to private homes, businesses, and farms; and

**WHEREAS**, it is urgent that relief efforts commence to protect the health and safety of Minnesota citizens; and

**WHEREAS**, emergency assistance of motor carriers is needed to transport supplies and materials to affected areas of the state;

**NOW, THEREFORE**, I hereby order that:

1. A state of emergency exists that requires relief for vehicles used to provide direct assistance to the emergency. The vehicles are exempted from seasonal load restrictions on local and state highways and streets imposed under *Minnesota Statutes*, section 169.87.
2. Carriers or drivers of commercial motor vehicles providing direct assistance for flood relief are exempted from the regulations incorporated in *Minnesota Statutes*, section 221.0314, subdivision 9, pertaining to hours of service for carriers and drivers of commercial motor vehicles.
3. Nothing in this order relieves motor carriers and drivers from regulations pertaining to driver qualifications, driving of commercial motor vehicles, commercial driver's licenses, drug and alcohol testing for drivers, or equipment, parts and accessories necessary for the safe operation of vehicles.
4. No motor carrier operating under terms of this emergency order shall require or allow an ill or fatigued driver to operate a commercial motor vehicle. Any driver who informs a carrier that he or she needs immediate rest shall be given at least ten consecutive off-duty hours before the driver is required to return to service.
5. No driver operating under terms of this order shall operate a commercial motor vehicle while fatigued or ill. Fatigued drivers shall take at least ten hours off-duty before returning to service.
6. Upon the expiration of this emergency order, or when a driver or carrier ceases to provide direct assistance to the flood relief effort, a driver that has had at least thirty-four consecutive hours off-duty must be permitted to start his or her on-duty status hours and 60/70-hour clock at zero.

Under *Minnesota Statutes*, section 4.035, subdivision 2, this emergency order is effective immediately and must be filed with the Secretary of State and published in the *State Register* as soon as possible after its issuance. It remains in effect for thirty days or until the commercial motor carrier or driver ceases direct assistance in providing emergency relief, whichever occurs first. For purposes of this order, direct assistance is defined in *Minnesota Statutes*, section 221.0269, subdivision 3(c). This order may be extended in accordance with *Minnesota Statutes*, section 221.0269, Subdivision 2.



# Executive Orders

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IN TESTIMONY WHEREOF, I have set my hand on March 24, 2011.

Signed: **Mark Dayton**  
**Governor**

Filed According to Law:

Signed: **Mark Ritchie**  
**Secretary of State**

## Commissioners' Orders

Various agency commissioners are authorized to issue "commissioner's orders" on specified activities governed by their agency's enabling laws. See the *Minnesota Statutes* governing each agency to determine the specific applicable statutes. Commissioners' orders are approved by assistant attorneys general as to form and execution and published in the *State Register*. These commissioners orders are compiled in the year-end subject matter index for each volume of the *State Register*.

## Minnesota Department of Natural Resources (DNR) Commissioner's Order for Approved Firewood for Possession on Lands Administered by the Commissioner

**Effective Date:** Upon signing and posting in the state register.  
**Statutory authority:** *Minnesota Statutes*, section 89, subd.551(b)  
**Supersedes Commissioner's Order dated May 21, 2009 of the same title**

### BACKGROUND

The 2007 *Minnesota Statutes* 89.551 Approved Firewood Required, Sec. 2 Subd. 3b authorizes the Commissioner of Natural Resources by written order to publish in the *State Register*, firewood that will be approved on land administered by the Commissioner.

Revisions are needed to:

- Address conflicts between existing rules that allow visitors to gather firewood on site in some areas and the current Commissioner's Order on Firewood.
- Support sister agency, Minnesota Department of Agriculture (MDA), in expanding their firewood certification program and in the process further our goals of changing public behavior regarding the purchase and use of firewood for recreational purposes.

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## Commissioners' Orders

- Remove option C (debarked wood) under types of approved firewood because it is covered by the MDA certification program, as is kiln drying, another MDA approved treatment method not accepted under the current Commissioner's Order.
- Remove reference to buffer counties because of the public confusion generated and the apparent conflict with state (MDA) enforcement of the emerald ash borer quarantine.
- Reduce the mileage limit (from 100 miles to 50 miles) for untreated firewood in response to evidence indicating that 100 miles is insufficient to protect DNR lands.
- Remove language duplicated in the Department of Commerce labeling standards to avoid future conflicts (when and where the county of original is required on the label).

### ORDER

**NOW, THEREFORE, IT IS HEREBY ORDERED**, pursuant to authority vested in me by law, including but not limited to *Minnesota Statutes*, section 89, subdivision .551(b), that:

No firewood will be allowed to enter land administered by the Commissioner unless it complies with at least one of the three conditions below:

- 1) Firewood offered for sale by the Minnesota Department of Natural Resources (MN DNR).
- 2) Firewood offered for sale to the public by a vendor who has successfully completed the MN DNR approval process. Approved firewood vendors must provide customers with a proof of purchase that includes the vendor name, contact information, quantity and date of purchase. This may be in the form of a vendor ticket, bundle label or sales receipt.

Firewood offered for sale by a MN DNR approved vendor must meet one of these two conditions:

- a. Non-ash firewood originating on lands within Minnesota AND within 50 miles of the MN DNR land on which it is to be used. -OR-
  - b. Firewood of any species originating from Minnesota that has been certified by the Minnesota Department of Agriculture.
- 3) Firewood that consists of kiln-dried, clean (unpainted and unstained) dimensional lumber that is free of any metal or foreign substance. Note – pallet boards are not considered approved firewood and are not allowed as such on land administered by the Commissioner.

All MN DNR approved vendors must comply with state and federal quarantine regulations and the Minnesota Department of Commerce labeling standards.

Date signed: 8 March 2011

Tom Landwehr, Commissioner  
Department of Natural Resources

# Official Notices

Pursuant to *Minnesota Statutes* §§ 14.101, an agency must first solicit comments from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, and within 60 days of the effective date of any new statutory grant of required rulemaking.

The *State Register* also publishes other official notices of state agencies and non-state agencies, including notices of meetings and matters of public interest.

## Meetings, Notices, Comments Sought

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## Minnesota Department of Commerce

### REQUEST FOR COMMENTS on Possible Amendment to Rules Governing Residential Thermal Insulation Standards, *Minnesota Rules* Part 7640.0120 and Part 7640.0130

**Subject of Rules.** The Minnesota Department of Commerce requests comments on its possible amendment to rules governing residential thermal insulation standards. The department is considering rule amendments to 1) change ASTM standards referenced throughout Parts 7640.0120 and 7640.0130 to the most recent versions, 2) change the requirements of Part 7640.0130 for various types of insulation products, and 3) amend definitions in part 7640.0120 to be consistent with the changes being considered.

**Persons Affected.** The amendment to the rules would likely affect manufacturers, wholesalers and installers of residential thermal insulation.

**Statutory Authority.** *Minnesota Statutes*, sections 325F.20, subdivision 1, and 325F.21, subdivisions 1 and 2, require the commissioner of Commerce to establish standards for the product quality, safety, installation, and labeling of residential thermal insulation products.

**Public Comment.** Interested persons or groups may submit comments or information on this possible rule in writing or orally until further notice is published in the *State Register* that the Department intends to adopt or to withdraw the rules. The Department will not publish a notice of intent to adopt the rules until more than 60 days have elapsed from the date of this request for comments. The department does not contemplate appointing an advisory committee to comment on the possible rule.

**Rules Drafts.** The department has prepared a draft of the possible rule amendment, which is available from the contact identified below.

**Agency Contact Person.** Written or oral comments, questions and requests for more information on this possible rule amendment should be addressed to: Bruce Nelson, Minnesota Department of Commerce, 85 7th Place E, Suite 500, St. Paul MN 55101-2198, **phone:**

(651) 297-2313, **e-mail:** [bruce.nelson@state.mn.us](mailto:bruce.nelson@state.mn.us). **TTY** users may call the Department at (651) 297-3067.

**Alternative Format.** Upon request, this information can be made available in an alternative format, such as large print, Braille, or audio. To make such a request, please contact the agency contact person at the address or telephone number listed above.

**NOTE:** Comments received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge if and when a proceeding to adopt rules is started. The agency is required to submit to the judge only those written comments received in response to the rules after they are proposed. If you submitted comments during the development of the rules and you want to ensure that the Administrative Law Judge reviews the comments, you should resubmit the comments after the rules are formally proposed.

## **Minnesota Department of Commerce**

### **Office of Energy Security**

### **Public Utilities Commission (PUC)**

### **Notice of Permit Decision in the Matter of the Application for a Route Permit for the Pleasant Valley to Byron 161 kilovolt Transmission Line Project in Dodge, Olmsted and Mower Counties, Minnesota**

**PUC Docket Number E002/TL-09-1315**

At a meeting on February 24, 2011, and in an Order issued March 3, 2011, the Minnesota Public Utilities Commission determined that the environmental impact statement (EIS) adequately addressed the issues identified in the scoping decision, and issued a high-voltage transmission line route permit, with appropriate conditions, for the Pleasant Valley to Byron project. The permit authorizes Northern States Power Company (d/b/a Xcel Energy) to construct approximately 16 miles of 161 kilovolt transmission line in Dodge, Olmsted and Mower counties, parallel to an existing 345 kilovolt transmission line, identified as Route Alternative 3 in the EIS and public hearing record. The project will connect an existing substation in the city of Byron, Minn., to an existing substation in Pleasant Valley Township, Minn. The permit also authorizes improvements within the existing footprint of the substation in Pleasant Valley Township.

If you have any questions about this project or would like more information, please contact the Office of Energy Security state permit manager: Matthew Langan, 85 - 7th Place East, Suite 500, St. Paul, MN 55101, **phone:** (651) 296-2096, **e-mail:** [matthew.langan@state.mn.us](mailto:matthew.langan@state.mn.us).

Documents relative to this project may be viewed on the Commission's website:

<http://www.energyfacilities.puc.state.mn.us/Docket.html?Id=25695>

## **Minnesota Comprehensive Health Association (MCHA)**

### **Notice of Board of Directors Meeting April 6, 2011**

**NOTICE IS HEREBY GIVEN** that a meeting of the Minnesota Comprehensive Health Association's (MCHA) Board of Directors will be held at 1:00 p.m. on Wednesday, April 6, 2011, at the MCHA Executive Office, 5775 Wayzata Blvd., Suite 910, St. Louis Park, MN.

For additional information, please call Peggy Zimmerman-Belbeck at (952) 593-9609.

# Official Notices

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## Minnesota Department of Human Services (DHS) Children and Family Services Community Partnerships – Child Development Services Notice of Public Hearings on Child Care and Development Fund (CCDF) Plan

### PUBLIC HEARING NOTICE

The Minnesota Department of Human Services will conduct public hearings as an opportunity for community input to Minnesota's federal Child Care and Development Fund plan. Meeting dates, times and locations are:

**DATE:** Wednesday, May 4, 2011, 9:30 – 11:30 a.m.  
**LOCATION:** Minnesota Department of Human Services, 444 Lafayette Road North, Room 5137 (5F), Saint Paul, MN 55164

### DOWN LINK MEETING SITES FOR MAY 4, 9:30 – 11:30 a.m.:

**Walker:** Cass County South Country Health Alliance, Health, Human & Veterans Services Building, 400 Michigan Ave, Walker, MN 56484  
**Duluth:** St. Louis County Government Center, 320 West 2nd Street, Room 609, Duluth, MN 55802  
**Montevideo:** Chippewa County Courthouse, 629 N 11th Street, Montevideo, MN 56265  
**Rochester:** Olmsted County Government Center, 2100 Campus Drive SE, 2nd Floor, Room 243, Rochester, MN 55904  
**Crookston:** Polk County Government Center, 612 N Broadway, 3rd Floor, Crookston, MN 56716

**DATE:** Thursday, May 5, 2011, 6:30 – 8:30 p.m.  
**LOCATION:** Maplewood Library, Community Program Room, 3025 Southlawn Drive, Maplewood, MN 55109

**Public Comment.** The Minnesota Department of Human Services will continue to solicit input on the federal plan after the May 4 and 5, 2011, Public Hearings. The federal plan will be submitted to the federal Department of Health and Human Services on June 30, 2011.

**Agency Contact.** For further information or questions, please contact Karen Pitts at (651) 431-3853 or [Karen.pitts@state.mn.us](mailto:Karen.pitts@state.mn.us).

## Department of Labor and Industry (DLI) Labor Standards Unit Notice of Certification of Truck Rental Rates and Effective Date Pursuant to *Minnesota Rules, Part 5200.1105*

On April 4, 2011, the Commissioner of the Department of Labor and Industry ("DLI") certified the minimum truck rental rates for highway projects in the state's ten highway and heavy construction areas for trucks and drivers operating "five or more axle units, straight body trucks," "four axle units, straight body trucks," "three axle units," "tractor only" and "tractor trailers." The certification followed publication of the Notice of Determination of Truck Rental Rates in the *State Register* on February 7, 2011 and the informal conference held pursuant to *Minnesota Rules*, part 5200.1105 on March 1, 2011.

According to *Minnesota Rules*, part 5200.1105, the purpose of the informal conference is for DLI to obtain further input regarding the proposed rates before the rates are certified. Approximately 50 individuals attended the informal conference. Many of the attendees voiced strong concerns regarding the inadequacy of the proposed rates. Among the concerns raised was the fact that the proposed rates were based on 2009 costs, including the 2009 price of fuel. Speakers indicated that because of the dramatic increase in the price of diesel in recent months, the published rates were far below the operators' current costs. As stated by one attendee:

I might not even be able to survive until next year. If I have a bad season, there's no room left, you know.  
The price of oil and the price of fuel is going to kill all of us guys this summer.



Testimony of Mike McDonald, Transcript of Informal Conference, p. 63.

Following the informal conference, DLI staff obtained data from the United States Department of Energy (“DOE”) regarding the price of diesel during 2009 as compared to current costs. That data, available at [www.eia.doe.gov](http://www.eia.doe.gov), show that the average price of diesel during 2009 was \$2.463 per gallon. The average price of diesel during January and February 2011 was \$3.497 per gallon. Consequently, the average price of diesel for the first two months of this year was 41.9% higher than the average cost of diesel during 2009.

The purpose of *Minnesota Rules*, part 5200.1105, as stated in its Statement of Need and Reasonableness, is to “provide equitable compensation” to independent truck operators. The commissioner finds that in order to carry out the purpose of the rule, it is appropriate to consider the concerns expressed at the informal conference<sup>1</sup> and to use average 2011 diesel costs in computing and certifying 2011 truck rental rates. Specifically, the commissioner finds that the extreme disparity between 2009 and current fuel costs warrants this adjustment in order for truck operators to be equitably compensated.<sup>2</sup>

Construction truck operating costs were initially determined by survey on a statewide basis and were the subject of further input by interested parties attending the informal conference pursuant to *Minnesota Rules*, part 5200.1105 on March 1, 2011 and further data on fuel prices from the DOE for 2009 and 2011. In light of the discussion above, fuel costs stated in the surveys were adjusted upward by 41.9% to determine statewide operating costs. As a result of this adjustment, the operating cost for “five or more axle units, straight body trucks” is determined to be \$49.10 per hour; the operating cost for “four axle units, straight body trucks” is determined to be \$45.49 per hour; the operating cost for “three axle units” is determined to be \$37.35 per hour; the operating cost for “tractor only” is determined to be \$46.02 per hour; and the operating cost for “tractor trailers” is determined to be \$57.48 per hour.

Adding the prevailing wage for drivers of these five types of trucks from each of the State’s ten highway and heavy construction areas to the operating costs, the minimum hourly truck rental rate for the five types of trucks in each area is certified to be as follows:

	<b>Tractor Trailer</b>	<b>Five or more axle</b>	<b>Four axle</b>	<b>Three Axle</b>	<b>Tractor only</b>
Region 1	97.23	74.04	70.43	76.45	85.77
Region 2	90.90	82.01	78.40	67.41	79.44
Region 3	90.90	73.06	69.45	70.11	79.44
Region 4	81.03	72.65	69.04	70.11	69.57
Region 5	94.43	76.46	72.85	66.75	82.97
Region 6	77.48	79.23	75.62	67.15	66.02
Region 7	83.33	86.50	82.89	74.65	71.87
Region 8	84.99	76.46	72.85	70.11	73.53
Region 9	97.63	76.46	72.85	76.85	86.17
Region 10	90.90	82.01	78.40	70.11	79.44

The operating costs, including the average truck broker fees paid by those survey respondents who reported paying truck broker fees, and the truck rental rates may also be reviewed by accessing DLI’s website at [www.dli.mn.gov](http://www.dli.mn.gov). Questions regarding the operational costs and truck rental rates can be answered by calling (651) 284-5091.

The minimum truck rental rates certified for these five types of trucks in the state’s ten highway and heavy construction areas will be

# Official Notices

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effective for all highway and heavy construction projects financed in whole or part with state funds advertised for bid on or after April 4, 2011.

Dated: 4 April 2011

Ken B. Peterson, Commissioner  
Department of Labor and Industry

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## (Footnotes)

<sup>1</sup> The DLI has historically used input from the informal conferences to establish certified rates. For example, truck rental rates certified in 2009 varied from the proposed rates based on information gathered at the informal conference.

<sup>2</sup> The commissioner notes that the Minnesota Department of Transportation incorporates a fuel adjustment clause in certain of its contracts to accommodate the fluctuating price of fuel. That clause generally provides for the adjustment of contract payments when the cost of fuel increases or decreases by more than 15% from an indexed rate during the term of the contract. By using 2011 fuel costs in certifying 2011 truck rental rates, the commissioner is not intending to adopt or establish a similar fuel adjustment mechanism. Rather, he is taking this action to effectuate the purpose of Part 5200.1105 in light of the concerns raised at the informal conference and the dramatic increase in the price of diesel between 2009 and effective date of 2011 truck rental rates.

## Minnesota Department of Natural Resources (DNR) Lands and Minerals Division Notice of Hearing on Sale of State Land

**NOTICE IS HEREBY GIVEN**, that pursuant to *Minnesota Statutes*, section 97A.135, subd. 2a, a hearing will be held by the Department of Natural Resources, in the conference room at the DNR Region Office, 261 Highway 15 South, New Ulm, Minnesota, on April 18, 2011 at 10:00a.m.

The purpose of the hearing is for public input regarding the sale of state land situated in the County of Martin, and described as:

The north 700 feet of a strip of land 100 feet in width extending over and across the West Half of the Northwest Quarter (W1/2 of NW), and the Northwest Quarter of the Southwest Quarter (NWSW) of Section Twenty-five (25), Township One Hundred and One (101) North, Range Thirty-two (32) West. The centerline of said strip being of the main track (now removed) of the Minnesota and Iowa Railway Company as said centerline was originally located and established over and across said Section Twenty-five (25). This parcel contains 1.6 acres more or less.

*Minnesota Statutes*, section 97A.135, subd. 2a, requires that a public hearing be held before lands within a Wildlife Management Area can be disposed of through sale or exchange. The parcel is designated as part of Ceylon Wildlife Management Area.

It is proposed that this parcel of land be offered for sale by the Department of Natural Resources in a private sale to the adjacent landowner. This parcel is no longer needed for resource management purposes. If, after public hearing, the disposal of the land is in the public interest, the Commissioner of Natural Resources may vacate the parcel from Wildlife Management Area designation.

Questions regarding this proposal can be directed to Jodi Dehn at (651) 259-5391 or [Jodi.Dehn@dnr.state.mn.us](mailto:Jodi.Dehn@dnr.state.mn.us).

Dated: 9 March 2011

Kathy A. Lewis, Assistant Director  
Division of Lands and Minerals  
Minnesota Department of Natural Resources

**Department of Transportation (Mn/DOT)  
Engineering Services Division,  
Office of Construction and Innovative Contracting  
Notices of Suspension and Debarment****NOTICE OF SUSPENSION**

**NOTICE IS HEREBY GIVEN** that the following vendors are suspended effective December 28, 2009, until final disposition of the hearing or hearing appeal:

Riley Bros. Companies Inc. and its affiliates, Morris MN  
Riley Bros. Construction Inc. and its affiliates, Morris MN  
Riley Bros. Properties, LLC, and its affiliates, Morris MN  
Riley Bros. Utilities, Inc. dba/Chris Riley Utilities, Inc. and its affiliates, Morris MN

**NOTICE IS HEREBY GIVEN** that the following vendors are suspended effective February 22, 2011, until April 22, 2011:

Philip Joseph Franklin  
Franklin Drywall Inc. and its affiliates  
Master Drywall Inc. and its affiliates

**NOTICE OF DEBARMENT**

**NOTICE IS HEREBY GIVEN** that the following vendors are debarred for a period of three (3) years effective February 24, 2010 until February 24, 2013:

Joseph Edward Riley, Morris, MN  
John Thomas Riley, Morris, MN

*Minnesota Statutes*, Section 161.315, prohibits the Commissioner, counties, towns or home rule or statutory cities from awarding or approving the award of a contract for goods or services to a person who is suspended or debarred; including

- 1) any contract under which a debarred or suspended person will serve as a subcontractor or material supplier,
- 2) any business or affiliate which the debarred or suspended person exercises substantial influence or control, and
- 3) any business or entity which is sold or transferred by a debarred person remains ineligible during the period of the seller's or transfer's debarment.

**Department of Transportation (Mn/DOT)  
State Aid for Local Transportation Division  
CORRECTED NOTICE of Appointment and Meeting of a State Aid Variance  
Committee**

Please take note that on Monday, 21 March 2011, the following notice appeared in the *State Register* at 35 SR 1432. Please also take note that the notice below contains additional information in the last paragraph which, through clerical oversight, did not originally appear.

**NOTICE IS HEREBY GIVEN** that the Commissioner of Transportation has appointed a State Aid Variance Advisory Committee who will meet on Thursday, March 24, 2011 at 9:00 a.m. at the Mn/DOT Arden Hills Training Center, located at 1900 West County Road I, in Shoreview, Minnesota, 55126. This notice is given pursuant to *Minnesota Statute* 14.46. The purpose of this open meeting is to investigate and determine recommendations for variance requests from minimum State Aid roadway standards and administrative procedures as governed by *Minnesota Rules* for State Aid Operations 8820 adopted pursuant to *Minnesota Statutes* Chapters 161 and 162.

The agenda will include the following:

1. **Petition of City of Wayzata** for a variance from *Minnesota Rules* 8820.9922, *Design Standards; New Bridge, Bridge*

# Official Notices

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*Replacement, or Bridge Rehabilitation Projects and Approach Roadways on Rural or Suburban Undivided Roadways That Are Not on The State-Aid System* as they apply to Peavey Bridge (Bridge No. 27B70) on Ferndale Road so as to allow a 24 foot bridge roadway width in lieu of the 32 foot bridge roadway width as required by law.

**2. Petition of Cities of Edina and St. Louis Park** for a variance from *Minnesota Rules 8820.9936, Design Standards, Urban; New or Reconstruction Projects* as they apply to West 44<sup>th</sup> Street from Browndale Avenue to Dart Avenue and Wooddale Avenue to Curve Avenue so as to allow a 30 foot roadway width in lieu of the 32 foot roadway width as required by law.

**3. Petition of Cities of Edina and St. Louis Park** for a variance from *Minnesota Rules 8820.9936, Design Standards, Urban; New or Reconstruction Projects* as they apply to West 44<sup>th</sup> Street from Eton Place to France Avenue so as to allow a 35 foot roadway width in lieu of the 38 foot roadway width as required by law.

**4. Petition of City of Austin** for a variance from *Minnesota Rules 8820.9936, Design Standards, Urban; New or Reconstruction* as they apply to 14<sup>th</sup> Avenue at the intersection of 4<sup>th</sup> Street so as to allow a 20 mph horizontal curve in lieu of the 30 mph horizontal curve as required by law.

**5. Petition of City of Austin** for a variance from *Minnesota Rules 8820.9936, Design Standards, Urban; New or Reconstruction* as they apply to 14<sup>th</sup> Avenue at the intersection of 8<sup>th</sup> Street so as to allow a 25 mph horizontal curve in lieu of the 30 mph horizontal curve as required by law.

## **NEW PARAGRAPH:**

**“Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, 395 John Ireland Boulevard, Mailstop 500, St. Paul, MN 55155. If a written objection is received within 7 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.”**

Dated: March 23, 2011

Julie A. Skallman, State Aid Engineer  
State Aid for Local Transportation  
Minnesota Department of Transportation

# State Grants & Loans

In addition to requests by state agencies for technical/professional services (published in the State Contracts Section), the *State Register* also publishes notices about grants and loans available through any agency or branch of state government. Although some grant and loan programs specifically require printing in a statewide publication such as the *State Register*, there is no requirement for publication in the *State Register* itself. Agencies are encouraged to publish grant and loan notices, and to provide financial estimates as well as sufficient time for interested parties to respond.

## Apply for Grants & Loans

The *State Register* is one of the best ways to advertise your grants - it's a required read for public works projects. And it's cost is one of the least expensive legal advertising rates in Minnesota. At \$13.60 per 1/10 of a page you cannot go wrong.

Check up on all the "active" state grants in the "Contracts & Grants" section, available only to *State Register* subscribers. Open the *State Register* and click on Bookmarks on the left. You will also see a list of ALL the current rules, a growing INDEX, and previous years' indices. Subscribers also receive LINKS to the *State Register*. Subscriptions cost \$180 a year (an \$80 savings). Here's what you receive via e-mail:

- Word Search Capability
- LINKS, LINKS, LINKS
- Easy Access to *State Register* Archives
- Updates to Index to Vol. 31
- "Contracts & Grants" Open for Bid
- Early delivery, on Friday
- E-mailed to you . . . its so easy
- Indexes to Vols. 31, 30, 29, 28 and 27

It's all E-mailed to you, at end-of-day on Friday, instead of waiting for the non-subscriber's issue released on Monday. Contact Loretta J. Diaz, our subscriptions manager, at **phone:** (651) 297-8777, or **fax:** (651) 297-8260, or **e-mail:** [loretta.diaz@state.mn.us](mailto:loretta.diaz@state.mn.us)

## Department of Commerce Office of Energy Security

### Notice of Grant Availability for Research and Development Projects that Serve to Accelerate the Development and Adoption of New Energy Efficient Technologies and Strategies

The Minnesota Department of Commerce, Office of Energy Security (OES) seeks proposals from organizations or individuals interested in applied research and development projects that serve to accelerate the development and adoption of new energy efficient technologies and strategies in Minnesota. The information obtained from this effort is intended to inform electric and natural gas utility Conservation Improvement Program (CIP) development and state energy policy. Up to \$3.6 million in total will be awarded for Fiscal Year 2011 (FY11).

The Request for Proposals (RFP) and required forms will be available for download on the OES website ([www.energy.mn.gov](http://www.energy.mn.gov)) through May 4, 2011. Responders may also request a hard copy of the RFP by mail from this office. Requests for hard copies must be received by OES no later than 12:00 p.m. (Noon) Central Standard Time (CST), on May 4, 2011.

The RFP and forms can be obtained from:

Preferred Method: [www.energy.mn.gov](http://www.energy.mn.gov)  
U.S. Postal Service: Ann Zechbauer  
Minnesota Department of Commerce  
Office of Energy Security  
85 Seventh Place East, Suite 500  
Saint Paul, MN 55101

Proposals submitted in response to this RFP must be received no later than 4:00 p.m. CST, May 4, 2011. **Late proposals will NOT be considered.** Instructions for submitting proposals are detailed in the RFP.

This request does not obligate the State to complete the work contemplated in this notice. The State reserves the right to cancel this solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.



# State Grants & Loans

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## Minnesota Department of Health (MDH) Division of Community and Family Health Minnesota's Young Student Parents Support Initiative's Requests for Grant Proposals

**NOTICE IS HEREBY GIVEN** that the Minnesota Department of Health (MDH) is seeking grant applications from institutions of higher education for Minnesota's Young Student Parent Support Initiative. This Initiative will address the needs of college age pregnant and parenting young people, age 25 years and under. The purpose of this grant program is to enable institutions of higher education to establish, maintain, or operate pregnant and parenting student services.

MDH applied for and received these funds from the Department of Health and Human Services (DHHS). DHHS is responsible for the Pregnancy Assistance Fund, which was authorized by Sections 10211-10214 of the Patient Protection and Affordable Care Act (The Act), Public Law 111-148.

The application materials are available beginning April 4, 2011 on the MDH's website:

*<http://www.health.state.mn.us/divs/cfh/connect/index.cfm?article=studentparent.welcome>*

Two separate Requests for Proposals (RFPs) are available. **RFP-Option 1 for Program Expansion Grants**, will award two grants for \$120,000 each, per year, for existing student parent help centers at institutions of higher education that demonstrate well-established and comprehensive services for pregnant and parenting teens and young families that have existed for at least 5 years.

**RFP-Option 2 for Program Start-Up Grants** anticipates awarding up to eight grants, for \$140,000 each, per year, to start new student parent help centers. Grant applicants may have in place a few basic student parent support components, such as financial aid, child care referral and/or assistance, academic counseling, referrals for housing, outreach activities and other related services but wish to add or enhance components, including maternal-child health services (required) and/or increase the numbers served; Or, they may start a brand new student parent help center where one has not yet existed.

Completed applications will be due to the Minnesota Department of Health on May 24, 2011. MDH anticipates it will enter into grant agreements with the grantees from the period of July 1, 2011 through June 30, 2013. Funding is contingent upon future federal legislative approval.

Minnesota's Young Student Parents Support Initiative's two goals are:

- Goal 1:** Pregnant and parenting teens and young women and men (age 25 years and under) are able to accomplish their higher education/post secondary education goals;
- Goal 2:** Pregnant and parenting young students maintain positive health and well-being for themselves and their children.

The DHHS Funding Opportunity Announcement defines eligible institution of higher education as: "...an institution of higher education (as such term is defined in section 101 of the Higher Education Act of 1965 {20 U.S.C. 1001}) that has established and operates, or agrees to establish and operate upon the receipt of a grant under this part, a pregnant and parenting student services office." Additional information about Section 101 of the Higher Education Act of 1965 is available at: *<http://www2.ed.gov/policy/highered/leg/hea98/sec101.html>*

Questions should be directed to:

Elizabeth A. Gardner, M.A., Student-Parents Grant Coordinator  
Minnesota Department of Health  
Community and Family Health Division  
P. O. Box 64882  
St. Paul, MN 55164-0882  
**E-mail:** *Elizabeth.gardner@state.mn.us*  
**Phone:** (651) 201-5411  
**MDH TTY:** (651) 201-5797

Other department personnel are not allowed to answer questions about the Request for Proposals before the proposal submission deadline

### Minnesota Department of Human Services (DHS)

#### Disability Services Division – HIV/AIDS Unit

#### Notice of Request for Proposals to Staff and Operate a Referral Hotline to Address the Needs of Minnesotans Living with HIV/AIDS

**NOTICE IS HEREBY GIVEN** that the Minnesota Department of Human Services is requesting proposals to staff and operate a referral hotline to address the needs of Minnesotans living with HIV/AIDS.

Work is proposed to start July 1, 2011. For more information, or to obtain a copy of the Request for Proposal, contact:

Mary Grandy  
Department of Human Services  
Disability Services Division – HIV/AIDS Unit  
P.O. Box 64972  
444 Lafayette Road North  
St. Paul, MN 551550972  
**Phone:** (651) 431-2849  
**Fax:** (651) 431-7414  
**E-mail:** [mary.m.grandy@state.mm.us](mailto:mary.m.grandy@state.mm.us)

This is the only person designated to answer questions by potential responders regarding this request.

Proposals submitted in response to this Request for Proposals must be received at the address above no later than **4:00 p.m., Central Time, May 13, 2011. Late proposals will NOT be considered.** Faxed or e-mailed proposals will **NOT** be considered.

All Grant RFPs are required to be put on the DHS Grants and RFP web site.

The RFP can be viewed by visiting the Minnesota Department of Human Services RFP web site:

[http://www.dhs.state.mn.us/main/id\\_000102](http://www.dhs.state.mn.us/main/id_000102)

This request does not obligate the State to complete the work contemplated in this notice. The State reserves the right to cancel this solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.

### Minnesota Department of Human Services (DHS)

#### Managed Care and Payment Policy Division

#### Notice of Request for Proposals to Provide Prepaid Health Care from Qualified Managed Care Organizations (MCOs) to Medical Assistance (MA) and MinnesotaCare Recipients in Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington Counties

**NOTICE IS HEREBY GIVEN** that the Minnesota Department of Human Services is requesting proposals for the purpose of providing health care services for Medical Assistance and MinnesotaCare in Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington Counties.

The service begin date is January 1, 2012.

Proposals submitted in response to the RFP in this notice must be sent to:

**Request for Proposal Response**

Managed Care & Payment Policy Division  
Attention: Beryl Palmer – 0984

# State Grants & Loans

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Department of Human Services  
444 Lafayette Road North  
St. Paul, MN 55155

This is the only person designated to answer questions by potential responders regarding this request.

Proposals submitted in response to this Request for Proposals must be received at the address above no later than **4:00 p.m., Central Time, May 13, 2011. Late proposals will NOT be considered.** Fax or e-mailed proposals will **NOT** be considered.

The RFP can be viewed by visiting the Department of Human Services RFP website after 12 noon on Wednesday, April 6, 2011 at [http://www.dhs.state.mn.us/main/id\\_000102](http://www.dhs.state.mn.us/main/id_000102).

This request does not obligate the State to complete the work contemplated in this notice. The State reserves the right to cancel this solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.

## Minnesota Department of Human Services (DHS) Nursing Facility Rates and Policy (NFRP) Division Addendum to Request for Proposals to Nursing Facility Diversity Mini-Grant Program Open for Proposals

**NOTICE IS HEREBY GIVEN** that the Minnesota Department of Human Services (DHS) through its Nursing Facility Rates and Policy Division (State), has published an Addendum to its Request for Proposal to seek Proposals from qualified Nursing Facility Responders to develop or provide a program related to diversity and/or cultural competency issues in staffing and/or resident care within their respective facility that was published in the February 22, 2011 *State Register*. In the Addendum, the deadline for submitting the RFP has been extended to Friday, April 29 at 4:00 p.m.

To request a full text of the RFP please contact:

Audrey Riddle  
MN Department of Human Services  
NF Rates & Policy (NFRP) Division  
P.O. Box 0973  
444 Lafayette Rd N.  
St. Paul, MN 55155-0973  
**Phone:** (651) 431-4981  
**E-mail:** [audrey.riddle@state.mn.us](mailto:audrey.riddle@state.mn.us)

The text of the RFP can also be viewed by visiting the Minnesota Department of Human Services RFP web site:

[http://www.dhs.state.mn.us/main/id\\_000102](http://www.dhs.state.mn.us/main/id_000102)

This request does not obligate the State to complete the work contemplated in this notice. The State reserves the right to cancel this solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.

## State Contracts

**Informal Solicitations:** Informal solicitations for professional/technical (consultant) contracts valued at over \$5,000 through \$50,000, may either be published in the *State Register* or posted on the Department of Administration, Materials Management Division's (MMD) Web site. Interested vendors are encouraged to monitor the P/T Contract Section of the MMD Web site at [www.mmd.admin.state.mn.us](http://www.mmd.admin.state.mn.us) for informal solicitation announcements.

**Formal Solicitations:** Department of Administration procedures require that formal solicitations (announcements for contracts with an estimated value over \$50,000) for professional/technical contracts must be published in the *State Register*. Certain quasi-state agency and Minnesota State College and University institutions are exempt from these requirements.

**Requirements:** There are no statutes or rules requiring contracts to be advertised for any specific length of time, but the Materials Management Division strongly recommends meeting the following requirements:

- \$0 - \$5000 does not need to be advertised. Contact the Materials Management Division: (651) 296-2600
- \$5,000 - \$25,000 should be advertised in the *State Register* for a period of at least seven calendar days;
- \$25,000 - \$50,000 should be advertised in the *State Register* for a period of at least 14 calendar days; and
- anything above \$50,000 should be advertised in the *State Register* for a minimum of at least 21 calendar days

## Agency Work Open for Bid

The state spends about \$2 billion a year on contracts. The *State Register* is one of the best ways to advertise your contracts - it's a required read for public works projects. And it's cost is one of the least expensive legal advertising rates in Minnesota. At \$13.60 each 1/10 of a page, you cannot go wrong.

Subscribers receive a list of **all current contracts and grants**, as well as LINKS to the *State Register*, Bookmarks, and a growing INDEX to each volume, including the current issue, and previous volumes. To view, open the *State Register* and click on BOOKMARKS in the left hand corner. Here's what you receive via e-mail:

- **Word Search Capability**
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- **Easy Access to State Register Archives**
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Subscriptions cost \$180 a year (an \$80 savings). It's all E-MAILED to you, at end-of-day on Friday, instead of waiting for the non-subscriber's issue released on Monday. Contact Loretta J. Diaz, our subscriptions manager, at (651) 297-8777, or **fax:** (651) 297-8260, or **e-mail:** [loretta.diaz@state.mn.us](mailto:loretta.diaz@state.mn.us)

## Department of Administration (Admin)

### Real Estate & Construction Services

### Notice of Request for Qualifications (RFQ) for Construction Manager at Risk for New Emergency Operations Center at the Arden Hills Army Training Site in Arden Hills, MN: RECS Project # 07012AHL

**NOTICE IS HEREBY GIVEN** that the Department of Administration, Real Estate and Construction Services ("State") has issued a request for qualifications to evaluate and select a Construction Manager at Risk for the New Emergency Operations Center at the Arden Hills Army Training Site in Arden Hills, MN in accordance with *Minnesota Statute* 16C.34.

The scope of this project is to provide the Department of Public Safety (DPS) Homeland Security and Emergency Management (HSEM) with the required spaces to effectively execute and perform all missions in response to Homeland Security and Emergency Management. The project will improve the readiness of the State in Homeland Security and Emergency Management by optimizing the operational flow of the facility while allowing for long term continuous operations in a secure facility that meets requirements Anti Terrorism Force Protection (ATFP).

Detailed tasks and scope of services required for the project are defined and included in the Request for Qualifications (RFQ) located at [www.admin.state.mn.us/recs](http://www.admin.state.mn.us/recs) (Click on "Construction Services" and "Solicitations and Announcements"). To be considered for selection and a Contract, responses must be submitted by the date and time indicated in the RFQ.

## State Contracts

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The State reserves the right to cancel this solicitation if it is considered to be in its best interest. The RFQ is not a guarantee of work and it does not obligate the State to award any contracts. The State reserves the right to discontinue the use or cancel all or any part of the RFQ if it is determined to be in its best interest. All expenses incurred in responding to this notice are solely the responsibility of the responder.

### **Department of Administration (Admin)**

#### **Real Estate & Construction Services**

#### **Notice of Request for Qualifications (RFQ) for Construction Manager at Risk for Remodel B16, Demolish North B17 & Construct New 100 Bed Nursing Care Building in Minnesota Veterans Home-Minneapolis, MN**

**RECS Project #: 75045MPL**

**NOTICE IS HEREBY GIVEN** that the Department of Administration, Real Estate and Construction Services (“State”) has issued a request for qualifications to evaluate and select a Construction Manager at Risk for the renovation of Building 16 to Domiciliary Care, the demolition of Building 17 North, and the design of a new 100 Bed Nursing Care Building which includes preliminary site plans, preliminary floor plans, programming information, and preliminary construction cost estimates for the Minnesota Veterans Home-Minneapolis, MN in accordance with *Minnesota Statute* 16C.34.

The scope of the project includes the renovation of Building 16 to provide domiciliary care for fifty residents. The construction consists of renovating the two level structure from double occupancy resident rooms with a shared bath to single occupancy rooms with a private bath. There will be miscellaneous renovations to existing spaces, as well as a small addition to the east. The mechanical system will be significantly modified to bring the facility into code. The New 100 Bed Nursing Care Building will consist of the demolition of Building 17 North and a new 4 story 100-bed nursing care building which will be connected to the remaining Build 17 South on the Minnesota Veterans Home, Minneapolis Campus. The new facility will incorporate designs that optimize resident-centered care. Communities of 16 to 18 residents will be created with each resident having a private room and bath. Each household will contain a kitchen, family dining and living room. Lounge area, skilled nursing support areas. Each resident room will be single occupancy with a private toilet and shower room. The facility will be composed of a steel structural frame with exterior and load bearing walls constructed out of brick with CMU reinforcement or precast panels. Interior walls will be sheetrock with metal studs. Floors will be poured in place and precast concrete. The roof over 1 story area will be green roof on concrete precast decking and glass skylight.

Detailed tasks and scope of services required for the project are defined and included in the Request for Qualifications (RFQ) located at [www.admin.state.mn.us/recs](http://www.admin.state.mn.us/recs) (Click on “Construction Services” and “Solicitations and Announcements”). To be considered for selection and a Contract, responses must be submitted by the date and time indicated in the RFQ.

The State reserves the right to cancel this solicitation if it is considered to be in its best interest. The RFQ is not a guarantee of work and it does not obligate the State to award any contracts. The State reserves the right to discontinue the use or cancel all or any part of the RFQ if it is determined to be in its best interest. All expenses incurred in responding to this notice are solely the responsibility of the responder.

### **Department of Administration (Admin)**

#### **Risk Management Division**

#### **Notice of Availability of a Request for Proposals for a Contract for Third Party Claims Administrator for Property and Casualty Insurance Claims**

The Minnesota Department of Administration, Risk Management Division, herein gives notice of the availability of a Request for Proposals for provision of claims adjusting services for, but not limited to, auto liability claims. Risk Management’s automobile liability program started in 1987. The state incurred an average of \$212,000 in adjusting and related services expense in the past five fiscal years. Work under this contract starts July 1, 2011.

An information meeting for all potential proposers will be held on Monday, May 2 at 9:00-11:00 a.m., in the Nokomis Conference Room 310 Centennial Office Building 658 Cedar Street St. Paul, Minnesota 55155. This meeting will provide an opportunity for proposers to ask questions regarding the Request for Proposals.

A free-of-charge copy of the Request for Proposals can be requested through the mail, by calling the Risk Management Division at (651) 201-2589, by e-mail to [Lea.Shedlock@state.mn.us](mailto:Lea.Shedlock@state.mn.us), or picked up at the Department of Administration, Risk Management Division, 310 Centennial Office Building, 658 Cedar Street, St. Paul, Minnesota 55155, through May 11th, 2011.

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than May 12, 2011, 3:00 p.m. (Central Standard Time). **Late, faxed, or e-mailed proposals will NOT be considered.**

### **Minnesota State Colleges and Universities (MnSCU) Announcements - Advertisements for Bids MnSCU Transitioning to a Web-based Distribution for Project Bid Documents**

Minnesota State Colleges & Universities is transitioning to a web-based distribution process for project bid documents. MnSCU offers 24-hour/day, 7-day/week access to the Request for Bids/Proposals through its web-based system. Interested parties may view the Bidding Documents at no cost on the website: <http://www.finance.mnscu.edu/facilities/design-construction/index.html> and click on "Announcements", then click on "**Advertisement for Bids (E-Plan Room)**". Bidding Documents can be downloaded for a non-refundable fee of \$10.00. MnSCU will be utilizing this system to advertise and deliver bidding documents for many of its future construction projects.

### **Minnesota State Colleges and Universities (MnSCU) Facilities Design and Construction Notice of Request for Information (RFI) for Architectural, Owner's Representative, Real Estate and other related Professional and Technical services for a Master List of Consultants**

The State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities ("MnSCU"), requests information of Minnesota registered consultants, as appropriate, to assist MnSCU in providing Architectural/Engineering, Owner Representative, Real Estate and other related Professional and Technical services as needed for up to a one-year period. Projects will vary in scope and may involve due diligence services, new construction, remodeling, commissioning, site and utility work, facilities, roads and grounds, and land development.

The Request for Information documents can be found online at: [www.finance.mnscu.edu/facilities/index.html](http://www.finance.mnscu.edu/facilities/index.html) under Announcements. This RFI is to permit a consultant to be added to the current MnSCU Master List of Consultants. The consultants currently on the List do not need to respond to this RFI. The current List can be viewed at:

[www.finance.mnscu.edu/facilities/design-construction/pm\\_emanual/index.html](http://www.finance.mnscu.edu/facilities/design-construction/pm_emanual/index.html)

and click on "#37 - Facilities P/T Consultants Master List".

If unable to access the RFI electronically, copies of the RFI may also be requested from:

Nancy Marandola - Minnesota State Colleges & Universities

**Phone:** (651) 201-1780

**E-mail:** [Nancy.marandola@so.mnscu.edu](mailto:Nancy.marandola@so.mnscu.edu)

Proposals must be delivered to:

Minnesota State Colleges & Universities



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ATTN: Facilities Design and Construction  
Wells Fargo Place  
30 Seventh Street East, Suite 350  
St. Paul, Minnesota 55101-7804

Proposals must be received NOT later than May 6, 2011 at 12:00 P.M. CST; late responses will not be considered.

MnSCU reserves the right to cancel this solicitation if it is considered to be in MnSCU's best interest. The RFI is not a guarantee of work and does not obligate MnSCU to award any contracts. MnSCU reserves the right to discontinue the use or cancel all or any part of this Master List of Consultants program if it is determined to be in its best interest. All expenses incurred in responding to this notice are solely the responsibility of the responder.

## Minnesota State Colleges and Universities (MnSCU) Office of the Chancellor - Public Affairs Request for Proposals for Variable Data Printing Direct Mail Brochure Campaign

The Minnesota State Colleges and Universities system is requesting proposals from qualified full-service printing firms to oversee the development of a variable printing direct mail brochure campaign, including 4-color printing of a brochure, final cleaning of client data lists, customized variable data printing processes, address labeling, sorting and mailing (including postage). Proposal should be broken down in quantities of 1,000, 10,000; 25,000; and 50,000 mailed pieces. Initial brochure design and copy content will be provided by client.

Full project specifications are available by visiting the website:

<http://www.pa.mnscu.edu/rfp/var-data-direct-mail/index.html>

or by contacting

Paul Berger  
Minnesota State Colleges and Universities  
Wells Fargo Place, 30 7th St. E., Suite 350  
St. Paul, Minnesota 55101  
**Phone:** (651) 201-1805, or  
**E-mail:** [paul.berger@so.mnscu.edu](mailto:paul.berger@so.mnscu.edu)

Sealed proposals must be received by Friday, April 15, 2011, noon CST.

This request does not obligate Minnesota State Colleges and Universities to complete the proposed project, and the system reserves the right to cancel this solicitation if it is considered to be in its best interest.

The Minnesota State Colleges and Universities system is an Equal Opportunity employer and educator.

## Minnesota State Colleges and Universities (MnSCU) Dakota County Technical College Notice of Request for Proposals for Media Placement Services

**NOTICE IS HEREBY GIVEN** that Dakota County Technical College will receive proposals for Media Placement Services. Bid documents are available at: <http://www.dctc.edu/go/rfp>.

Sealed bids must be received by 2 p.m. Monday, April 11, 2011, at the following location:

Pat Adams  
Dakota County Technical College

1300 145<sup>th</sup> St. E.  
Rosemount, MN 55068

Dakota County Technical College reserves the right to reject any or all proposals and to waive any irregularities or informalities in proposals received. The College further reserves the right to cancel the solicitation if it is considered to be in its best interest.

## **Minnesota State Colleges and Universities (MnSCU) Hennepin Technical College Request for Proposals Sought for Food Service and Catering Services**

Hennepin Technical College is requesting proposals for food and catering services to meet the needs of students and employees for healthy food and refreshments at moderated prices. Site visits will be scheduled during the week of April 11, 2011 by appointment only. It is the desire of the college to receive proposals from food service operators who have demonstrated potential for providing a food service program, coffee and snack services and catering services that maintain high standards of service, quality food products and financially viable operations.

Details regarding the RFP can be obtained from:

Pauline Arnst,  
Hennepin Technical College,  
13100 College View Drive,  
Eden Prairie, MN 55347  
**Phone:** (952) 995-1445  
**E-mail:** [pauline.arnst@hennepintech.edu](mailto:pauline.arnst@hennepintech.edu)

Deadline for submitting sealed bids is **2:00 p.m. on Monday, April 18, 2011**. Late proposals will not be accepted. Hennepin Technical College reserves the right to reject all proposals.

Hennepin Technical College is a member of the Minnesota State Colleges and Universities System

## **Minnesota State Colleges and Universities (MnSCU) Minnesota West Community and Technical College Request for Proposals sought for Food Service**

Minnesota West Community and Technical College is requesting proposals for operation of food service on its campuses. Food Services include cafeteria line service, catering, and vending machine service with additional considerations for a coffee kiosk serving hot and cold food and beverage selections. Additional options to the proposal should include an evening service with hours ranging from 4:00 p.m. to 6:00 p.m. Monday - Friday, limited Saturday daytime hours and summer session hours. Additional hours will be provided for special functions when the College deems necessary. Proposals are sought both individually and collectively for the five campus food service operations.

Details regarding the RFP can be obtained from Lori Voss, Minnesota West Community and Technical College, 1011 First Street West, Canby, MN 56220 or at (507) 223-7252 or via e-mail at: [Lori.Voss@mnwest.edu](mailto:Lori.Voss@mnwest.edu).

Deadline for submitting sealed bids is 2:00 p.m. on Tuesday, April 26, 2011. Late proposals will not be accepted. Minnesota West Community and Technical College reserves the right to reject all proposals.

Minnesota West Community and Technical College is a member of the Minnesota State Colleges and Universities System.

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## Minnesota State Colleges and Universities (MnSCU) St. Cloud Technical & Community College Advertisement for Sealed Bids for Select Washroom Renovations

will be received by: Ms. Susan Meyer, Purchasing Agent,  
Room No. 1-401H  
St. Cloud Technical & Community College  
1540 Northway Drive  
St. Cloud, MN 56303

Until **3:00 PM, Tuesday, April 19, 2011** at which time the bids will be opened and publicly read aloud.

**Project Scope:** Select Men's and Women's washrooms will be gutted and then renovated.

A **pre-bid meeting** will be held at 2:30 PM, Tuesday April 12, 2011, in the area for remodeling. We will gather in Rm. 1-452. The Architect/Engineer and Owner Representatives will review the bidding procedures, Bidding Documents and other conditions with interested Bidders and answer questions.

**Bid Forms, Contract Documents, Drawings and Specifications** as prepared by the Project Architect/Engineer, Hagemester and Mack Architects, Inc., are on file at the offices of the:

- 1.) Project Architect/Engineer.
- 2.) QuestCDN.com

Complete sets only of bid forms and Drawings and Specifications for use by Bidders in submitting a bid may be **"viewed"** at the following address:

Hagemester and Mack Architects, Inc.,  
501 West St. Germain Street, Suite 200,  
St. Cloud, MN 56301  
**Phone:** (320) 251-9155

Plans and Specifications can be downloaded for a non-refundable charge of \$10.00. Plan holders are parties that have downloaded the plans and specifications. Plan holders will be notified via email as addenda are issued. Parties that download the plans and specifications and need to have them printed elsewhere are solely responsible for those printing costs. Note: Paper copies of plans and specifications will not be distributed by the owner or its agent(s). Please contact QuestCDN.com at (952) 233-1632 or [info@questcdn.com](mailto:info@questcdn.com) for assistance in downloading and working with this digital project information.

Each bid which totals over \$15,000.00 must be accompanied by a bid bond or other security described here as a proposal guarantee that the bidder will enter into a contract if its bid is accepted. This security may be either a certified check, payable to **Minnesota State Colleges and Universities**, in the sum of not less than five percent (5%) of the total base bid or a corporate surety bond for the same amount by a surety company authorized to do business in the State of Minnesota.

## Explore Minnesota Tourism (EMT) Request for Proposal: Graphic Design Services for Minnesota Travel Guide

Explore Minnesota Tourism (EMT), the state's tourism promotion office, is seeking proposals for the graphic design, layout, pre-press production and printing supervision of the **2012 Minnesota Travel Guide** (approximately 164 pages), the official statewide travel guide, to be published by EMT.

EMT is seeking a totally new look for the *Travel Guide*, with a graphic design that is appealing, engaging and user friendly. The design of the guide should enhance the allure of Minnesota to the reader of the guide, featuring images of the state, and drawing readers into the

copy. The design must be original to the *Travel Guide*. Design should support the readability and ease of use of the guide.

Vendor is responsible for developing creative concepts, all graphic design and page layout, pre-press production, including final color proofs, and electronic delivery of final files to printer selected by the State of Minnesota

The contract start date is estimated mid to late-May 2011.

The complete Request for Proposal will available by e-mail from Explore Minnesota Tourism by sending an **e-mail** request to Tammi Wilhelmy: [tammi.wilhelmy@state.mn.us](mailto:tammi.wilhelmy@state.mn.us)

Proposals submitted in response to the Request for Proposals in this advertisement must be received no later than 4:00pm CDT, April 26, 2011, addressed to:

Joan Hummel  
Explore Minnesota Tourism  
121 - 7<sup>th</sup> Place East, Suite 100  
St. Paul, MN 55101

Proposals by fax or e-mail will not be accepted; late proposals will not be considered.

This request for proposal does not obligate the state to award a contract or complete the project, and the state reserves the right to cancel the solicitation if it is considered to be in its best interest. All costs incurred in responding to this RFP will be borne by the responder.

## Minnesota Department of Human Services (DHS) Health Care Eligibility and Access Division Notice of Request for Proposals to Provide Outreach and Enrollment Assistance Services to the Estimated 12,000 Minnesotans Now Eligible for Medicaid Due to the Early Expansion of Medicaid Eligibility

**NOTICE IS HEREBY GIVEN** that the Minnesota Department of Human Services is requesting proposals to provide outreach and enrollment assistance services to the estimated 12,000 Minnesotans now eligible for Medicaid due to the early expansion of Medicaid eligibility under the Federal Affordable Care Act.

Work is proposed to start September 1, 2011. For more information, or to obtain a copy of the Request for Proposal, contact:

David Van Sant  
Department of Human Services  
Health Care Eligibility and Access Division  
444 Lafayette Road N.  
St. Paul, MN 55155  
Phone: (651) 431-3929  
Fax: (651) 431-7572  
E-mail: [david.vansant@state.mn.us](mailto:david.vansant@state.mn.us)

This is the only person designated to answer questions by potential responders regarding this request.

Proposals submitted in response to this Request for Proposals must be received at the address above no later than **4:00 p.m., Central Time, May 13, 2011**. **Late proposals will not be considered**. Faxed or e-mailed proposals will **not** be considered.

The RFP can be viewed by visiting the Minnesota Department of Human Services RFP web site:

[http://www.dhs.state.mn.us/main/id\\_000102](http://www.dhs.state.mn.us/main/id_000102)

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This request does not obligate the State to complete the work contemplated in this notice. The State reserves the right to cancel this solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.

## Minnesota Department of Human Services (DHS) Internal Audits Division

### Notice of Request for Information to Implement a Compliance Solution Designed to Strengthen Access Controls, Allow for Predictive Analysis, Capture and Secure Data, Transform and Centralize Event Logs from Dissimilar and Isolated Systems and Allow for Faster Analysis of Event Log Management

**NOTICE IS HEREBY GIVEN** that the Minnesota Department of Human Services is requesting proposals to implement a compliance solution designed to strengthen access controls, allow for predictive analysis, capture and secure data, transform and centralize event logs from dissimilar and isolated systems and allow for faster analysis of event log management. This system is intended to utilize the following tools, Oracle Data Integrator, Oracle Audit Vault and Oracle Business Intelligence Enterprise Edition.

A proposed implementation date is currently undetermined. To obtain a copy of the Request for Information go to [http://www.dhs.state.mn.us/id\\_000102](http://www.dhs.state.mn.us/id_000102)

or contact:

Sanjay Raval  
Department of Human Services  
Internal Audits Division  
444 Lafayette Road North  
St. Paul, MN 55155  
**Phone:** (651) 431-5842  
**E-mail:** [sanjay.raval@state.mn.us](mailto:sanjay.raval@state.mn.us)

This is the only person designated to answer questions by potential responders regarding this request.

Proposals submitted in response to this Request for Information must be received at the address above no later than **4:00 p.m., Central Time, May 6, 2011. Late proposals will may NOT be considered.** Faxed or e-mailed proposals will **NOT** be considered.

The RFI can be viewed by visiting the Minnesota Department of Human Services RFP web site: [http://www.dhs.state.mn.us/main/id\\_000102](http://www.dhs.state.mn.us/main/id_000102)

This request does not obligate the State to complete the work contemplated in this notice. The State reserves the right to cancel this solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.

## Minnesota State Lottery Request for Proposals for Sponsorship Agreements

### Description of Opportunity

The Minnesota State Lottery develops sponsorship agreements throughout the year with organizations, events, and sports teams to create excitement for lottery players, to interest new players and increase the visibility of lottery games. The Lottery encourages and continually seeks new sponsorship agreements to help achieve current Lottery marketing goals.

### Proposal Content

A sponsorship proposal presented to the Lottery should meet the following three criteria:

**1. Maximize Lottery Visibility** – the event, sports or tie-in proposal should draw a large number of desired participants (typically 50,000 or more) whose demographics match the Lottery player profile. The Lottery is interested in effectively delivering its message of fun and entertainment to Minnesota adults whose demographics skew primarily towards those aged 25-64, with a household income of \$35,000-\$75,000, and having an educational background of some college or higher. The Lottery does not market to those under the age of 18, and family events with high levels of children present are generally not accepted. Attendance, on-site signage visibility and paid media exposure will be critical components that will be evaluated.

**2. Enhance Lottery Image-** – the event, sports or tie-in proposal should inherently project the attitude that the Lottery is a fun and socially acceptable part of the community. The Lottery’s presence should fit well within the lineup of other sponsors. The Lottery is interested in creating opportunities whereby the sponsorship can translate into sales revenue, either via on-site sales from a Lottery booth, from sales-generating promotions with Lottery retailers or from joint programs with the sponsor’s media partners.

**3. Provide Promotional Extensions** – the event, sports or tie-in proposal should offer exciting, value-added ways to interact with our players and have opportunities to motivate attendees, listeners and viewers to participate in and purchase Lottery games. The proposal must include proper staffing availability or other considerations to help the Lottery implement any appropriate promotional extension ideas.

Proposals should address all pertinent elements of the sponsorship and how the Lottery criteria as stated above and on the Evaluation Form are to be met. To view or print copies of the Request for Proposal go to: <http://www.mnlottery.com/vendors.html>

This Solicitation does not obligate the state to award a contract or pursue a proposed sponsorship opportunity, and the state reserves the right to cancel the solicitation if it is considered to be in its best interest.

### Questions

Questions concerning this Solicitation should be directed to:

John Mellein, Marketing Director  
Minnesota State Lottery  
2645 Long Lake Road  
Roseville, MN 55113  
**Telephone:** (651) 635-8230  
**Toll-free:** (888) 568-8379 ext. 230  
**Fax:** (651) 297-7496  
**TTY:** (651) 635-8268  
**E-mail:** [johnm@mnlottery.com](mailto:johnm@mnlottery.com)

Other personnel are not authorized to answer questions regarding this Solicitation.

### Response Delivery

All responses must be in writing and delivered to the contact noted above. Proposals will be accepted on an ongoing basis.

## Board of Medical Practice Notice of Expansion of List of Potential Contractors for Professional/Technical Services

The Board is currently expanding its list of potential contractors for professional/technical services.

**Nature of Work/Contract Title:** Contractors to provide the board professional/technical services: Medical Coordinators, Medical Consultants, Course Providers and Specialized Evaluators.

**Description of Work:** Medical Coordinators will review patient records, adverse responses on license applications and other relevant medical information to identify deviations from practice standards and assess whether a case is ready for review by either the Board’s



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Complaint Review Committee or Licensure Committee. Medical Coordinators will also conduct educational conferences with licensees, as directed by the Complaint Review Committee, and interviews with applicants. Medical Consultants will provide expert review of all relevant information during complaint investigations, and may also provide expert testimony during contested cases. Course Providers will conduct specialized coursework for individuals as required by Board disciplinary and corrective action. Evaluators will conduct comprehensive mental, physical, chemical use and/or practice skills evaluations of potentially impaired or incompetent practitioners upon direction of the Board.

If you are interested in acting as a consultant for any of the professional/technical services described above, please download the complete proposal package under Request for Proposals on the Board's website at [www.bmp.state.mn.us](http://www.bmp.state.mn.us) or contact the Board office to request a complete proposal package, as follows:

Board of Medical Practice  
Attn: Deb Milla  
2819 University Avenue SE, Suite 500  
Minneapolis, MN 55414-3246  
**Phone:** (612) 548-2153  
**E-mail:** [Debbie.Milla@state.mn.us](mailto:Debbie.Milla@state.mn.us)

In compliance with *Minnesota Statutes §16C.08*, the availability of this contracting opportunity is also being offered to state employees. All interested parties should submit a proposal for consideration. The Board will continue to expand its list of resources for this type of service and this posting will remain open.

The Board will review all proposals and contact qualified contractors, as needed.

## Department of Natural Resources (DNR) Forestry Division

### Notice of Availability of Contract to Develop a Brand and Market Plan for Terrestrial Invasive Species Education Targeting Minnesota Recreationists

The Minnesota Department of Natural Resources is requesting proposals for the purpose of developing a brand and market plan for Minnesota Terrestrial Invasive Species Education (written plan available among request) with the goal of changing public behavior by fostering active participation in actions designed to interrupt two primary recreational pathways of spread (along trails and in firewood) for terrestrial invasive species. The MNDNR intends to share the brand identity, marketing strategies and associated materials with a number of partner agencies and organizations to foster the use of consistent messaging across the industry. As such, the brand and marketing strategies must be compatible with existing brands and messages being used by state and federal agencies, and private organizations (example Stop Aquatic Hitchhikers, and Leave No Trace).

Work is proposed to start after May 13, 2011.

A Request for Proposals will be available by email from this office through April 4, 2011. **A written request (by direct mail, email or fax) is required to receive the Request for Proposal.** Please include your email address in your request. The Request for Proposal can be obtained from:

Susan Burks  
MNDNR, St Paul Headquarters  
500 Lafayette Rd, St Paul, 55155  
**Fax:** (651) 296-5954  
**E-mail:** [susan.burks@state.mn.us](mailto:susan.burks@state.mn.us)

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than 3:30 Central time, April 12, 2011. **Late proposals will NOT be considered.** Faxed or emailed proposals will **NOT** be considered.

This request does not obligate the State to complete the work contemplated in this notice. The State reserves the right to cancel this

solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.

## **Minnesota Pollution Control Agency (MPCA) Request for Proposals for the Twin Cities Metro Area Chloride Project (Phase 2) – Winter Maintenance Professionals Focus**

The Minnesota Pollution Control Agency (MPCA) requests proposals from qualified and experienced consultants to assist in working with the winter maintenance industry in the seven-county Metro area to develop an implementation plan specifically for the winter maintenance industry as part of Phase 2 of the Twin Cities Metropolitan Area (TCMA) Chloride project. The responder must have experience effectively communicating with and educating winter maintenance professionals in the TCMA on the impacts of road salt on water quality.

Responders are encouraged to supply an email address and to receive the RFP electronically. The subject line of the e-mail request should state "TCMA Chloride Project RFP."

**Proposal deadline:** Your Proposal must be received in the office of the Minnesota Pollution Control Agency with the date and time of receipt stamped no later than 1:00 p.m. (as determined by the MPCA loading dock clock) DST on April 26, 2011. **Late Proposals will NOT be considered.**

**Contact:** Tracey Josephson  
Contract Specialist  
Operational Support Division  
**Fax:** (651) 297-1456  
**E-mail:** *Contracts.mpca@state.mn.us*

Proposals must be delivered to:

Minnesota Pollution Control Agency  
Loading Dock  
Attn: Tracey Josephson  
520 Lafayette Road  
Saint Paul, Minnesota 55155

## **Public Safety Department (DPS) Minnesota Board of Firefighter Training and Education (MBFTE) Notice of Request for Proposals for a Live Burn Fire Training**

**Request for Proposal:** The Minnesota Board of Firefighter Training and Education (MBFTE) seeks an individual, a group or an organization to develop and write a training program and then conduct that training for live burn instructors for the purpose of teaching live burn in Minnesota. The topic of that training program and training is National Fire Protection Association's (NFPA) Standard #1403: STANDARD ON LIVE FIRE TRAINING EVOLUTIONS.

Request for Proposals will be available by mail or email from this office through April 15, 2011.

A written request (by direct mail or email) is required to receive the Request for Proposal.

The Request for Proposal can be obtained from:

Nancy Franke Wilson  
Minnesota Board of Firefighter Training and Education

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13065 Orono Pkwy  
Elk River, MN 55330  
**Phone:** (763) 635-1082  
**E-mail:** [Nancy.frankewilson@state.mn.us](mailto:Nancy.frankewilson@state.mn.us)

All questions concerning this RFP should be emailed to Nancy Franke Wilson. Deadline for submitting and accepting questions will be April 18, 2011 at 3:00 p.m. Central Daylight Time (CDT). A full collection of all the questions and answers will be emailed to all entities requesting a complete RFP by 5:00 p.m. (CDT) on April 20, 2011.

Proposals submitted in response to the Request for Proposals must be received at the address above **no later than 3:00 p.m. (CDT), April 25, 2011**. Proposals received after the deadline will be considered late and will not be considered for review. The burden is placed on respondents to ensure that proposals are received prior to the deadline. **Late proposals will NOT be considered.** Fax and e-mail responses **will be NOT be considered.**

The contract is anticipated to begin work on or around May 16, 2011 and end May 15, 2012. However, the MBFTE retains the option to extend the contract with the selected contractor for up to one additional one year period.

This request does not obligate the State to complete the work contemplated in this notice. The State reserves the right to cancel this solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.

## Teachers Retirement Association (TRA) Request for Proposal for Actuarial Consulting Services

*Minnesota Statutes*, Section 354.06, subd. 2a, clause (6) provides for the Teachers Retirement Association (TRA) Board of Trustees to contract with an approved actuary to provide actuarial consulting services. The actuarial contract is for the period July 1, 2011 through June 30, 2014. The contract may be extended beyond the three-year period by one, two-year extension, at a price and terms mutually agreed upon by both parties.

All work performed under this contract must conform to the provisions of *Minnesota Statutes* 2010, Chapter 356, as amended, and Standards of Actuarial Work, adopted by the Minnesota Legislative Commission on Pensions and Retirement. Special note should be made of *Minnesota Statutes*, Section 356.215, subd. 1, clause (2) which defines the qualification requirements of an "approved actuary."

The primary deliverable under the contract is to review, analyze, and prepare the actuarial valuations and experience study reports required by *Minnesota Statutes* Chapter 356. Additional duties include providing consulting and advisory services to the TRA Board of Trustees on technical and actuarial issues and providing actuarial cost estimates for potential benefit plan improvements.

Detailed requirements for responding to this Request for Proposal (RFP) are posted on the TRA web site ([www.tra.state.mn.us](http://www.tra.state.mn.us)) or may be requested by calling, e-mailing or writing:

John Wicklund, Assistant Executive Director-Administration  
Minnesota Teachers Retirement Association  
60 Empire Drive, Suite 400  
Saint Paul, MN 55103-4000  
**Phone:** (651) 296-8051  
**E-mail:** [john.wicklund@state.mn.us](mailto:john.wicklund@state.mn.us)

The cost of the preparation and presentation associated with the response to this "Request for Proposal" is the responsibility of the responding firm. Finalists may be asked to appear at an interview in St. Paul, Minnesota before the Actuarial RFP Subcommittee on Wed. May 25, 2011. The Board of Trustees will reimburse none of the costs associated with this presentation.

All proposals must be received by Friday April 29, 2011 by 2:30 p.m. Central Daylight Time by:

Carol Sellner, Executive Assistant  
Minnesota Teachers Retirement Association  
60 Empire Drive, Suite 400  
Saint Paul, MN 55103-4000

The Actuarial RFP Subcommittee of the Minnesota Teachers Retirement Association will evaluate all proposals received by the deadline. Action on this RFP is expected to be completed by June 15, 2011.

## **Department of Transportation (Mn/DOT) Engineering Services Division Notice of Potential Availability of Contracting Opportunities for a Variety of General Organizational Related Activities**

**(This document is available in alternative formats for persons with disabilities by calling Melissa McGinnis at 651-366-4644; for persons who are hearing or speech impaired by calling the Minnesota Relay Service at 800-627-3529.)**

Mn/DOT, in conjunction with the Department of Administration, have developed a streamlined approach for fast-tracking select general organization service projects. These general organizational projects may include, but are not limited to, work in the following categories: 1) Develop, implement and summarize internal and external surveys; 2) Recommend best practices in an organizational structure; 3) Assist with organizational health structure; 4) Provide marketing support; 5) Develop, implement and provide support of ad hoc forums; 6) Establish and facilitate collaborative groups, including cross-organization and public-private teams; 7) Provide project management for non-technical initiatives; and 8) Facilitate non-technical activities and events.

This streamlined approach includes developing an email list of firms that are interested in receiving direct notification of general organizational projects. Firms will be added on an on-going basis. Fast-tracked projects will have a shorter advertising period and turn-around time. Firms will be asked to submit responses within 5 business days and will be required to work diligently with Mn/DOT toward establishing a contract upon selection. All projects will be advertised to the public. Your firm will be directly notified that there is a project posted on the Consultant Services Website ([www.dot.state.mn.us/consult](http://www.dot.state.mn.us/consult)) that requires general organizational skills. Please note that this notice is not a solicitation or request for proposals of any kind. Being placed on the list does not guarantee work nor does it obligate Mn/DOT to provide any contracting opportunities under this program.

Interested firms should send the following information to the e-mail address below: Firm name, firm contact person, phone number, and email address.

Contact: Melissa McGinnis, Contract Administrator  
**E-mail:** [melissa.mcginis@state.mn.us](mailto:melissa.mcginis@state.mn.us)  
**Telephone:** (651) 366-4644

## **Department of Transportation (Mn/DOT) Engineering Services Division Notice of Potential Availability of Contracting Opportunities for a Variety of Highway Related Technical Activities (“Consultant Pre-Qualification Program”)**

This document is available in alternative formats for persons with disabilities by calling Kelly Arneson at (651) 366-4774; for persons who are hearing or speech impaired by calling Minnesota Relay Service at (800) 627-3529.

Mn/DOT, worked in conjunction with the Consultant Reform Committee, the American Council of Engineering Companies of Minnesota (ACEC/MN), and the Department of Administration, to develop the Consultant Pre-Qualification Program as a new method

# State Contracts

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of consultant selection. The ultimate goal of the Pre-Qualification Program is to streamline the process of contracting for highway related professional/technical services. Mn/DOT awards most of its consultant contracts for highway-related technical activities using this method, however, Mn/DOT also reserves the right to use Request for Proposal (RFP) or other selection processes for particular projects. Nothing in this solicitation requires Mn/DOT to use the Consultant Pre-Qualification Program.

Mn/DOT is currently requesting applications from consultants. Refer to Mn/DOT's Consultant Services web site, indicated below, to see which highway related professional/technical services are available for application. Applications are accepted on a continual basis. All expenses are incurred in responding to this notice will be borne by the responder. Response to this notice becomes public information under the Minnesota Government Data Practices.

Consultant Pre-Qualification Program information, application requirements and applications forms are available on Mn/DOT's Consultant Services web site at: <http://www.dot.state.mn.us/consult>.

Send completed application material to:

Kelly Arneson  
Consultant Services  
Office of Technical Support  
Minnesota Department of Transportation  
395 John Ireland Blvd. Mail Stop 680  
St. Paul, MN 55155

## Department of Transportation (Mn/DOT) Engineering Services Division Notice Concerning Professional/Technical Contract Opportunities and Taxpayers' Transportation Accountability Act Notices

**NOTICE TO ALL:** The Minnesota Department of Transportation (Mn/DOT) is now placing additional public notices for professional/technical contract opportunities on Mn/DOT's Consultant Services **website** at: [www.dot.state.mn.us/consult](http://www.dot.state.mn.us/consult)

New Public notices may be added to the website on a daily basis and be available for the time period as indicated within the public notice. Mn/DOT is also posting notices as required by the Taxpayers' Transportation Accountability Act on the above referenced website.

## Minnesota Zoological Garden Notice of Request for Sealed Bids for the Black Bear Exhibit Project PROJECT NO. 3967

Sealed Responses for **Minnesota Zoological Garden Black Bear Exhibit Project, Apple Valley and Dakota County** will be received by the Minnesota Zoological Garden, -13000 Zoo Boulevard, Apple Valley, MN 55124 Gate 2, Loading Dock, until 2:00 p.m. on April 21, 2011 and will then be opened and publicly read aloud.

### PRE-BID MEETING INFORMATION:

A pre-bid meeting will be held at the Zoo on April 12 at 10:00am. All contractors are encouraged to attend and this will be the only chance for contractor to see non-public areas of the site and adjacent buildings. This meeting is **MANDATORY** for any contractor interested in providing a bid on Bid Packages 1, 2, 4, 9, 10, 11, 12 and 13.

All contractors and subcontractors are to meet at the upper entrance near the IMAX ticket booths and enter the facilities together through the main entrance of the Minnesota Zoological Garden, Apple Valley, MN. All bidders shall report to **Angie Guggisberg, Project Manager**.

**SOLICITATION RESULTS** can be obtained in **the** following ways:

By attending the solicitation opening Plans and Specifications were prepared by CNH Architects, 7300 West 147<sup>th</sup> Street, Suite 504, Apple Valley, MN 55124, **Telephone:** (952) 431-4433, **Fax:** (952) 431-3883.

Bidding Documents may be viewed, without charge, on the ARC (American Reprographic Company) website [www.ersdigital.com](http://www.ersdigital.com) then click on Enter Public Planroom. Bidding Documents can be downloaded for a non-refundable charge of \$35.00. Planholders are parties that have downloaded the Bidding Documents. Planholders will be notified via email as addenda are issued. Planholders that need to have Bidding Documents printed are solely responsible for those printing costs. Paper copies of plans and specifications will not be distributed by the Owner or its agents. Contact ARC at (763) 694-5900 for assistance in viewing, downloading, and printing Bidding Documents.

### Non-State Bids, Contracts & Grants

The *State Register* also serves as a central marketplace for contracts let out on bid by the public sector. The *State Register* meets state and federal guidelines for statewide circulation of public notices. Any tax-supported institution or government jurisdiction may advertise contracts and requests for proposals from the private sector. It is recommended that contracts and RFPs include the following: 1) name of contact person; 2) institution name, address, telephone, fax, and e-mail address; 3) brief description of commodity, project or tasks; 4) cost estimate; and 5) final submission date of completed contract proposal. Allow at least three weeks from publication date (four weeks from the date article is submitted for publication). Surveys show that subscribers are interested in hearing about contracts for estimates as low as \$1,000. Contact editor for further details.

### Projects with Other Agencies

The *State Register* offers one of the cheapest, yet far reaching methods, of notifying the public about your agency's bids, contracts and grants. It is available to any government, non-profit, or private agency. Space is charged at the current rate of \$13.60 per each 1/10th of a page used in the *State Register*. Agencies are only billed for the space used in the *State Register*.

Agencies wishing to take advantage of this offer should submit what you want printed in the *State Register* via e-mail to: [robin.panlener@state.mn.us](mailto:robin.panlener@state.mn.us). Attach to your entry a short note indicating when you wish the notice to be published (one, or many dates), if you want a copy of the issue your notice appears in (a TEAR SHEET will be sent free with your bill), and whether you want an "Affidavit of Publication."

### Counties Transit Improvement Board Notice of Request for Proposals for Professional Technical Services for the Preparation of Twin Cities Program of Projects Study

**NOTICE IS HEREBY GIVEN** that the Counties Transit Improvement Board (the "Board") is soliciting proposals for professional/technical services for the Preparation of the Twin Cities Program of Project Study. The Program of Projects Study is being jointly undertaken by the Metropolitan Council and the Board to determine whether or not a Program of Projects approach to transit corridor



# Non-State Bids, Contracts & Grants

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funding is feasible and actionable for the Twin Cities metropolitan region. The approach would result in multiple transitway corridors (LRT, BRT and Commuter Rail) being developed simultaneously, as opposed to separately under current practices. Funding for the Study has been provided by the U.S. Department of Housing and Urban Development as a part of a Sustainable Regional Planning Grant. In order to prepare the Program of Projects Study, the Board is soliciting the necessary transit expertise pursuant to this Request for Proposal.

Proposals must be received no later than 12:00 p.m. (noon), Central Daylight Time (CDT), Wednesday, May 4, 2011. The Board reserves the right to reject late responses.

Complete details regarding submission requirements are included within the Request for Proposals.

- |   |                                       |
|---|---------------------------------------|
| ▪ Request for Proposals Issued                              | Friday, April 1, 2011                 |
| ▪ Pre-Proposal Conference                                   | Friday, April 15, 2011                |
| ▪ Deadline for Written Questions                            | Monday, April 18, 2011                |
| ▪ Written Response, Addenda Sent                            | Thursday, April 21, 2011              |
| ▪ Proposals Due   | Wednesday, May 4, 2011                |
| ▪ Evaluation Interviews, if needed                          | Wednesday, May 11, 2011 by 12:00 p.m. |
| ▪ Selection of Vendor and Approval of Contract by the Board | Wednesday, May 18, 2011               |
| ▪ Phase I Work Commences                                    | Wednesday, June 1, 2011               |
| ▪ Completion of Phase I                                     | November 2011                         |
| ▪ Phase II Work Commences, if determined feasible           | January 2012                          |

All firms interested in receiving an RFP are invited to submit an e-mail, fax or written request to:

Peggy Aho, Clerk  
Counties Transit Improvement Board  
477 Selby Avenue  
St. Paul, MN 55102  
**Phone:** (651) 222-7227  
**Fax:** (763) 223-5229  
**E-mail:** [paho@rranow.com](mailto:paho@rranow.com)

**NOTE:** The RFP is available in electronic form upon request.

## Metropolitan Airports Commission (MAC) Minneapolis-Saint Paul International Airport Notice of Call for Bids for Fiber Ring Upgrade 2011

**MAC Contract No.:** 106-2-628  
**Bids Close At:** 2:00 p.m., April 12, 2011

**NOTICE TO CONTRACTORS:** Sealed Bid Proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040-28th Avenue South, Minneapolis, Minnesota, 55450, until the date and hour indicated.

This project will add duct bank, conduit and blown optical fiber to upgrade the existing fiber optic network to a robust, redundant high performance dual ring network around the entire airport campus. Also mechanical and electrical upgrades will be made to four existing hub rooms to house new edge and core switches which will be purchased under a separate contract.

**Targeted Group Businesses (TGBs):** The goal of the MAC for the utilization of TGBs on this project is 3%.

**Bid Security:** Each Bid shall be accompanied by a "Bid Security" in the form of a certified check made payable to the MAC in the amount of not less than five percent (5%) of the total bid, or a surety bond in the same amount, running to the MAC, with the surety company thereon duly authorized to do business in the State of Minnesota.

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# Non-State Bids, Contracts & Grants

**Availability of Bidding Documents:** Bidding Documents are on file for inspection at the office of Architectural Alliance; at the Minneapolis and Saint Paul Builders Exchanges; McGraw Hill Construction Dodge; and NAMC-UM Plan Room. Bidders desiring bidding documents may secure a complete set from Franz Reprographics; 2781 Freeway Boulevard, Suite 100; Brooklyn Center, MN 55430; **phone:** (763) 503-3401; **fax:** (763) 503-3409. Make checks payable to Architectural Alliance. Deposit per set (refundable) \$150. Requests for mailing sets will be invoiced for mailing charges. Deposit will be refunded upon return of bidding documents in good condition within 10 days of opening of bids.

**MAC Internet Access of Additional Information:** A comprehensive Notice of Call for Bids (Document 00020) for this project will be available on March 28, 2011 at MAC's web address of: [www.metroairports.org/business/solicitations](http://www.metroairports.org/business/solicitations) (construction bids).

## Metropolitan Airports Commission (MAC) Minneapolis-Saint Paul International Airport Notice of Call for Bids for 2011 Multiple Building Roof Replacements

**MAC Contract No's.:** 106-3-458, 106-3-466, 106-3-467  
**Bids Close At:** 2:00 p.m. April 12, 2011

**Notice to Contractors:** Sealed Bid Proposals for the work indicated above will be received by the MAC, a public corporation, at the office thereof located at 6040-28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated.

This project provides for the following work: **General Construction** work: Selective Demolition, Structural Steel, Steel Roof Deck, Metal Fabrications, Metal Stairs, Miscellaneous Carpentry, Building Insulation, Weather Barriers, Metal Wall Panels, Built-Up Asphalt Roofing, EPDM Roofing, Preparation for Re-Roofing, Sheet Metal Flashing and Trim, Roof Accessories, Joint Sealants, and Painting. **Mechanical Construction** work: Supports, Anchors, and Seals, Painting and Identification, Mechanical Insulation, Plumbing Piping, and Plumbing Drainage Specialties. **Electrical Construction** work: Basic Materials and Methods, Raceways, Secondary Grounding, Lightning Protection Systems, and Surge Protection Devices.

**Targeted Group Businesses (TGBs):** The goal of the MAC for the utilization of TGBs on this project is 2%.

**Bid Security:** Each Bid shall be accompanied by a "Bid Security" in the form of a certified check made payable to the MAC in the amount of not less than five percent (5%) of the total bid, or a surety bond in the same amount, running to the MAC, with the surety company thereon duly authorized to do business in the State of Minnesota.

**Availability of Bidding Documents:** Bidding documents are on file for inspection at the office of Miller Dunwiddie Architecture, Inc.; at the Minneapolis and Saint Paul Builders Exchanges; McGraw Hill Construction Dodge; and NAMC-UM Plan Room. Bidders desiring bidding documents may secure a complete set from Miller Dunwiddie Architecture, Inc.; 123 North Third Street, Suite 104; Minneapolis, MN, 55401; **phone:** (612) 337-0000; **fax:** (612) 337-0031. Make checks payable to Miller Dunwiddie Architecture, Inc. Deposit per set (refundable): \$100.00. Requests for mailing sets will be invoiced for mailing charges. Deposit will be refunded upon return of bidding documents in good condition within 10 days of opening of bids.

**MAC Internet Access of Additional Information:** A comprehensive Notice of Call for Bids for this project will be available on March 28, 2011, at MAC's web address of [www.metroairports.org/business/solicitations](http://www.metroairports.org/business/solicitations) (construction bids).



**Several convenient ways to order:**

- ♦ **Retail store** Open 8 a.m. - 5 p.m. Monday - Friday, 660 Olive Street, St. Paul
- ♦ **Phone** (credit cards): 8 a.m. - 5 p.m. Monday - Friday, 651.297.3000 (Twin Cities) or 1.800.657.3757 (nationwide toll-free)
- ♦ **On-line orders:** www.minnesotasbookstore.com
- ♦ **Minnesota Relay Service:** 8 a.m. - 5 p.m. Monday - Friday, 1.800.627.3529 (nationwide toll-free)
- ♦ **Fax** (credit cards): 651.215.5733 (fax line available 24 hours/day)
- ♦ **Mail orders:** Orders can be sent to Minnesota's Bookstore, 660 Olive Street, St. Paul, MN 55155

**PREPAYMENT REQUIRED. Prices and availability subject to change.**

**Fax and phone orders:** Credit card purchases ONLY (American Express/Discover/MasterCard/VISA). Please allow 1-2 weeks for delivery. **Mail orders:** Complete order blank and send to address above. Enclose check or include credit card information. Please allow 4-6 weeks for delivery. Please make checks payable to "Minnesota's Bookstore." A \$20.00 fee will be charged for returned checks.

Stock No.	Title	Quantity	Unit Price	Total

Send my order to:

Company \_\_\_\_\_

Name \_\_\_\_\_

Street Address (Not deliverable to P.O. boxes) \_\_\_\_\_

City ( ) State Zip \_\_\_\_\_

Daytime phone (In case we have a question about your order) \_\_\_\_\_

Credit card number: \_\_\_\_\_

Expiration date: \_\_\_\_\_ Signature: \_\_\_\_\_

**Shipping Charges**

<i>If Product</i>	<i>Please</i>
<i>Subtotal is:</i>	<i>Add:</i>
Up to \$15.00	\$ 5.00
\$15.01-\$25.00	\$ 6.00
\$25.01-\$50.00	\$ 9.00
\$50.01-\$100.00	\$ 14.00
\$100.01-\$1,000	\$ 17.00*
*\$17 to an address in MN, WI, SD, ND, IA. If delivered to an address in other states, Canada or internationally, we will contact you if there are additional charges.	
More than \$1,000	Call

Product Subtotal \_\_\_\_\_

Shipping \_\_\_\_\_

Subtotal \_\_\_\_\_

Sales tax \_\_\_\_\_

*(6.875% sales tax if shipped to MN address, 7.625% if shipped to St. Paul address. 7.125% MN transit tax or other local sales tax if applicable)*

**TOTAL** \_\_\_\_\_

If tax exempt, please provide ES number or completed exemption form.  
ES# \_\_\_\_\_